

**MINUTES OF THE CITY-COUNTY COUNCIL
AND
SPECIAL SERVICE DISTRICT COUNCILS
OF
INDIANAPOLIS, MARION COUNTY, INDIANA**

**REGULAR MEETINGS
MONDAY, MARCH 26, 2007**

The City-County Council of Indianapolis, Marion County, Indiana and the Indianapolis Police Special Service District Council, Indianapolis Fire Special Service District Council and Indianapolis Solid Waste Collection Special Service District Council convened in regular concurrent sessions in the Council Chamber of the City-County Building at 7:06 p.m. on Monday, March 26, 2007, with Councillor Gray presiding.

Councillor Abdullah led the opening prayer and invited all present to join him in the Pledge of Allegiance to the Flag.

ROLL CALL

The President instructed the Clerk to take the roll call and requested members to register their presence on the voting machine. The roll call was as follows:

28 PRESENT: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn
1 ABSENT: Randolph

A quorum of twenty-eight members being present, the President called the meeting to order.

INTRODUCTION OF GUESTS AND VISITORS

President Gray recognized Dr. Lehman Adams, prominent Indianapolis oral surgeon. Councillor Plowman recognized Michael Hegg and Mike Jezierski, City-County Council candidates. Councillor Sanders recognized Council candidate Joe Billerman and Warren Township Assessor, Jeff Bennett. Councillor Pfisterer recognized Bill Cloud, Indianapolis Fire Department. Councillor Salisbury recognized Wayne Township Assessor Michael McCormick. Councillor Oliver recognized Jake McIntyre and Robert Williams, Hall of Fame inductees. Councillor Plowman introduced Franklin Township Assessor Becky Williams. Councillor Nytes recognized Barbara Hurst, Pike Township Assessor.

OFFICIAL COMMUNICATIONS

The President called for the reading of Official Communications. The Clerk read the following:

TO ALL MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA

Ladies And Gentlemen :

You are hereby notified the REGULAR MEETINGS of the City-County Council and Police, Fire and Solid Waste Collection Special Service District Councils will be held in the City-County Building, in the Council Chambers, on Monday, March 26, 2007, at 7:00 p.m., the purpose of such MEETINGS being to conduct any and all business that may properly come before regular meetings of the Councils.

Respectfully,
s/Beurt SerVaas
President, City-County Council

March 12, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

Pursuant to the laws of the State of Indiana, I caused to be published in the *Court & Commercial Record* on Wednesday, March 14, 2007 and in the *Indianapolis Star* on Thursday, March 15, 2007, a copy of a Notice of Public Hearing on Proposal Nos. 104, 109-111 and 132, 2007, said hearing to be held on Monday, March 26, 2007, at 7:00 p.m. in the City-County Building.

Respectfully,
s/Jean Ann Milharcic
Clerk of the City-County Council

March 9, 2007

TO PRESIDENT GRAY AND MEMBERS OF THE CITY-COUNTY COUNCIL AND POLICE, FIRE AND SOLID WASTE COLLECTION SPECIAL SERVICE DISTRICT COUNCILS OF THE CITY OF INDIANAPOLIS AND MARION COUNTY, INDIANA:

Ladies and Gentlemen:

I have approved with my signature and delivered this day to the Clerk of the City-County Council, Jean Ann Milharcic, the following ordinances:

FISCAL ORDINANCE NO. 13, 2007 – approves an increase of \$155,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department (Federal Grants Fund) to fund office and mobile computer lab equipment and supplies for the Internet Crimes Against Children program funded by a Department of Justice grant, to pay for overtime of officers patrolling the Mozel Sanders Apartment complex funded by a Community Development Block Grant, and to re-appropriate a 2006 grant from the Department of Justice to purchase laptop computers and mounts for patrol cars

FISCAL ORDINANCE NO. 14, 2007 – transfers \$444,799 in the 2007 Budget of the Department of Public Safety (Non-Lapsing Federal Grants Fund) to align the budget with the new direction of the Urban Areas Security Initiative (UASI) to support Emergency Management Division staff overtime, exercise and training facilitators, travel for out of state training and meetings, software for extracting data from the MECA Computer Aided Dispatch System, a web-based learning site and contractual overtime for large scale training and exercises

GENERAL ORDINANCE NO. 3, 2007 - amends portions of the Code regarding zoning ordinances to clarify the definition of commercial vehicle; to authorize stop work orders against the violator as well as the property owner; to increase the penalties of repeat zoning violators; to adjust the setbacks in the Town of Meridian Hills, to allow one-ton passenger cars and trucks in certain instances to be parked in dwelling districts; to clarify the parking requirement and standards in the front yards of the dwelling districts; to establish the parking requirements for dwellings in commercial areas; to clarify the need of a special exception for certain uses; to specifically authorize temporary auto sales in the C-4 district; to establish a minimum separation between firework sales and protected districts; and to update state statute and department citations

SPECIAL RESOLUTION NO. 19, 2007 – recognizes the "Royal Irish" Rugby Society on earning the Indiana Rugby Division I State Championship

March 26, 2007

SPECIAL RESOLUTION NO. 20, 2007 - recognizes W. Richard (Dick) Wayman

SPECIAL RESOLUTION NO. 21, 2007 - recognizes Lieutenant Marshall Depew on his nomination for the Michael K. Connor Public Service Award

Respectfully,
s/Bart Peterson, Mayor

ADOPTION OF THE AGENDA

The President proposed the adoption of the agenda as distributed.

Councillor Borst moved, seconded by Councillor Schneider, to move Proposal No. 182, 2007, which is under Introductions this evening to Final Adoption to be acted on this evening.

PROPOSAL NO. 182, 2007. The proposal, sponsored by Councillor Borst, establishes a special committee to investigate the Indianapolis Star's allegations against Councillor Monroe Gray.

Councillor Borst stated that according to Sec. 151-52 of the Council Rules, President Gray should also abstain from voting on this motion and should pass the gavel so as not to even preside over the vote, as the subject matter directly affects him.

Councillor Conley stated that this is a political attack and Councillor Borst's motion is out of order, as the proposal is under Introductions this evening and has been assigned to the Rules and Public Policy Committee. Aaron Haith, General Counsel, concurred and stated that the proposal has not been properly introduced as yet.

Councillor Vaughn stated that because of Mr. Haith's personal interest in this matter as President Gray's personal attorney, he should also refrain from commenting or ruling on the matter. Mr. Haith said that as General Counsel for the Council, he is giving his ruling as parliamentarian. Councillor Borst said that because Mr. Haith's is giving President Gray personal advice on this ethics matter as his attorney of record, he cannot then also advise the Council as a body and act as their attorney, as this is a serious conflict of interest. Mr. Haith said that in order to act on the proposal this evening, 18 votes would be needed. He added that such a motion does not allow for further discussion.

Councillor Schneider asked for further clarification whether or not President Gray or Mr. Haith have the authority to rule on this proposal. Mr. Haith said that as President, Councillor Gray does have the authority to ask that the body move forward with the vote. Councillor Vaughn said that he is a lawyer, and because of the very obvious conflict of interest, Mr. Haith should refrain from ruling on this issue and President Gray should also abstain from voting or even presiding over the vote, as they have no authority on this issue.

President Gray ruled Councillor Vaughn's comments out of order and stated that no discussion is needed on this motion. He passed the gavel to Vice President Sanders and stated that it will take 18 votes of this body to move the proposal under Final Adoption for action this evening.

Councillor Borst's motion to move Proposal No. 182, 2007 under Final Adoption for action this evening failed on the following roll call vote; viz:

13 YEAS: Borst, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Vaughn
14 NAYS: Abdullah, Bateman, Boyd, Brown, Conley, Franklin, Gibson, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders
1 NOT VOTING: Gray
1 ABSENT: Randolph

Without further objection, the agenda was adopted.

APPROVAL OF THE JOURNAL

The President called for additions or corrections to the Journals of, 1995. There being no additions or corrections, the minutes were approved as distributed.

PRESENTATION OF PETITIONS, MEMORIALS, SPECIAL RESOLUTIONS, AND COUNCIL RESOLUTIONS

PROPOSAL NO. 137, 2007. The proposal, sponsored by Councillors Nytes, Bateman, Borst, Boyd, Gray and Sanders, recognizes oral surgeon and part-time faculty member of Indiana University School of Dentistry, Dr. Lehman D. Adams, Jr. Councillor Nytes read the proposal and presented Dr. Adams with a copy of the document and a Council pin. Dr. Adams thanked the Council for the recognition. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 137, 2007 was adopted by a unanimous voice vote.

Proposal No. 137, 2007 was retitled SPECIAL RESOLUTION NO. 22, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 22, 2007

A SPECIAL RESOLUTION recognizing oral surgeon and part-time faculty member of Indiana University School of Dentistry, Dr. Lehman D. Adams, Jr.

WHEREAS, Dr. Adams, a 1949 dental graduate of Indiana University (IU), was the first African American to be appointed to the dental school's faculty; and

WHEREAS, along with a highly successful private practice, Dr. Adams' 50 years as an educator in oral surgery were further enhanced by the role he played in helping Indiana University School of Dentistry (IUSD) recruit and retain minority dental students; and

WHEREAS, in 2002, Citizens Gas & Coke Utility awarded Indiana University-Purdue University of Indianapolis (IUPUI) a \$20,000 endowment for the IU School of Dentistry to honor Dr. Adams, who served for more than 20 years as a member and president of the utility's board of trustees; and

WHEREAS, the Citizens Gas/Dr. Lehman D. Adams Jr. Scholarship program continues to thrive and assist minority students from Marion County in finding financial support for dental school; and

WHEREAS, Dr. Adams has served on various civic boards throughout the years, including the Metropolitan Development Commission and the Tanselle-Adams Commission on Police Use of Deadly Force, as well as receiving the Sagamore of the Wabash award from Governor Evan Bayh in 1990; and

WHEREAS, IUPUI Chancellor Charles Bantz bestowed upon oral surgeon and part-time faculty member Dr. Lehman Adams, Jr. an honorary Doctor of Science degree, only the third IUSD alumnus to receive such an honor, while pronouncing Dr. Adams' contributions to the community as an "exemplary life of meaning and purpose and a life well spent"; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 26, 2007

SECTION 1. The Indianapolis City-County Council recognizes Dr. Lehman D. Adams, Jr. and congratulates him on his recent honorary Doctor of Science degree from Indiana University .

SECTION 2. The Council extends its gratitude and appreciation to Dr. Adams for his many contributions to the Indianapolis community and wishes him much success in future endeavors.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 177, 2007. The proposal, sponsored by Councillors Pfisterer, Sanders, Gray and Conley, recognizes Marian College for developing the Indianapolis Teaching Fellows program with Indianapolis Public Schools (IPS). Councillor Pfisterer read the proposal and presented representatives with copies of the document and Council pins. Wyhndon Hill, dean of the school of education, thanked the Council for the recognition. Councillors Sanders, Gibson and Conley thanked representatives for the work they are doing and encouraged them to keep up the good work. Councillor Pfisterer moved, seconded by Councillor Sanders, for adoption. Proposal No. 177, 2007 was adopted by a unanimous voice vote.

Proposal No. 177, 2007 was retitled SPECIAL RESOLUTION NO. 23, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 23, 2007

A SPECIAL RESOLUTION recognizing Marian College for developing the Indianapolis Teaching Fellows program with Indianapolis Public Schools (IPS).

WHEREAS, Marian College's vision is to provide an education that profoundly transforms lives, society, and the world; and

WHEREAS, Marian College traces its roots back more than 150 years to Oldenburg, Indiana, and a teacher education school started by the Sisters of Saint Francis; and

WHEREAS, President Daniel J. Elsener, trustees, and administration of Marian College have created a strategic initiative in mathematics and sciences education intended to provide well-educated graduates to Indiana's life sciences economy and develop highly-qualified teachers in these areas; and

WHEREAS, Marian College's School of Education is deeply committed to providing an excellent teacher education program that connects great teachers with the youth of Indianapolis; and

WHEREAS, through the Teaching Fellows program, Marian College will provide licensing assistance to a group of carefully selected, talented professionals with undergraduate degrees and subject matter expertise who wish to engage students and help them succeed; and

WHEREAS, the IPS Teaching Fellows program is a highly selective alternate route to teaching that will meet critical needs areas identified by the school system; mathematics, science, Spanish, and mild interventions; and

WHEREAS, the goal of the Teaching Fellows program is to fill 150 teaching positions in IPS over three years and improve student achievement in the classroom; and

WHEREAS, those 150 talented, committed, highly qualified teachers will transform the lives of more than one hundred thousand students during their careers and make a significant contribution to the economic development and quality of life in central Indiana; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes Marian College for its bold innovations in teacher education.

SECTION 2. The Council heartily extends its gratitude and appreciation to Marian College and Indianapolis Public Schools for developing the Indianapolis Teaching Fellows program and wishes them much success in future endeavors.

SECTION 3. The Council hopes the Indianapolis Teaching Fellows program will be a model for other Indiana schools to attract great teachers to the classroom.

SECTION 4. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 5. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 178, 2007. The proposal, sponsored by Councillors Cain and Sanders, recognizes Marissa Manlove on her retirement from Noble of Indiana and wishes her much success in her new endeavor. Councillor Cain read the proposal and presented Ms. Manlove with a copy of the document and Council pin. Ms. Manlove thanked the Council for the recognition. Councillor Cain moved, seconded by Councillor Sanders, for adoption. Proposal No. 178, 2007 was adopted by a unanimous voice vote.

Proposal No. 178, 2007 was retitled SPECIAL RESOLUTION NO. 24, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 24, 2007

A SPECIAL RESOLUTION recognizing Marissa Manlove on her retirement from Noble of Indiana and wishing her much success in her new endeavor.

WHEREAS, Marissa Manlove was an employee with Noble for over 29 years, during which she made a significant impact on many programs and people in former positions as Director of External Relations, Director of the Early Childhood Program, Manager of Clinical Services, and Behavioral Clinician/Core Team Coordinator; and

WHEREAS, Ms. Manlove served as Vice President of Consumer and Community Relations from 2001 to 2006, bringing extensive leadership in government relations, communications and services for individuals with developmental disabilities; and

WHEREAS, as Vice President, Marissa Manlove was responsible for overseeing Noble's services to children and adults, as well as Noble's communications with internal and external audiences; and

WHEREAS, Ms. Manlove also worked extensively with local, state, and national elected leaders to help advocate for Noble's stakeholders; and

WHEREAS, Marissa Manlove contributed superior experience in community involvement due to her service in the following: community volunteer at Fairbanks Hospital; Board member of Drug Free Marion County; Board member of the Digital Age Literacy Advisory Board of Lawrence Township Schools; founding member of Parents for a Drug-Free America; former Board member of Ronald McDonald House of Indiana; and former Board member of Lawrence Township Schools Foundation; and

WHEREAS, Ms. Manlove has also received numerous awards and recognitions, which included being a Distinguished Award Recipient from the Center for Leadership Development in 1990 and 1992, being a 2004 nominee for the Spirit of Women Award, receiving the 2005 Community Service Award from Drug Free Marion County, receiving the 2005 Alice M. Ross Salute to Families Award from the Family Service Association, and receiving the 2006 Circle of Hope Award; and

WHEREAS, in addition to her many responsibilities with Noble and the community, Ms. Manlove also served on the Mayor's Advisory Council on Disabilities; the Community/Consumer Advisory Council for the Bureau of Quality Improvement, DDARS/FSSA; the Consumer Advisory Council for the Governor's Commission on Home and Community-Based Services; and the Marion County Step Ahead Council; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 26, 2007

SECTION 1. The Indianapolis City-County Council congratulates Marissa Manlove on many great accomplishments and making a difference in the lives of those involved with Noble of Indiana.

SECTION 2. The Council extends warm wishes to Ms. Manlove as she accepts her new role as CEO of the Indiana Grantmakers Alliance.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 179, 2007. The proposal, sponsored by Councillors Oliver, Conley, Brown, Gray and Sanders, recognizes Roger Burkman, Jack Keefer, Jim Krivacs, Larry "Jake" McIntyre, Landon Turner, Robert "Biscuit" Williams, and Randy Wittman on their induction to the 2007 Indiana Basketball Hall of Fame. Councillor Oliver read the proposal and presented representatives with copies of the document and Council pins. Mr. McIntyre and Mr. Williams thanked the Council for the recognition. Councillor Oliver moved, seconded by Councillor Conley, for adoption. Proposal No. 179, 2007 was adopted by a unanimous voice vote.

Proposal No. 179, 2007 was retitled SPECIAL RESOLUTION NO. 25, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 25, 2007

A SPECIAL RESOLUTION recognizing Roger Burkman, Jack Keefer, Jim Krivacs, Larry "Jake" McIntyre, Landon Turner, Robert "Biscuit" Williams, and Randy Wittman on their induction to the 2007 Indiana Basketball Hall of Fame.

WHEREAS, Robert Burkman starred at Franklin Central High School and graduated in 1977. Burkman had a four-year career under Denny Crum at the University of Louisville and played one season with the Chicago Bulls; and

WHEREAS, Jack Keefer played for fellow inductee Phil McCarter and graduated from Oak Hill High School in 1961. Keefer is the coach of the Lawrence North Wildcats, who have won the last three 4-A championships and a fourth championship in 1989; and

WHEREAS, Jim Krivacs graduated from Southport High School in 1974 where he starred as an outstanding shooting. Krivacs joined Abe Lemons at Texas State University and was awarded co-MVP in the 1978 NIT for champion Texas, where he was voted into the Longhorn Athletic Hall of Honor; and

WHEREAS, Larry "Jake" McIntyre started for the Crispus Attucks Flying Tigers and lead the team during his Senior year when they won the state championship in 1959 under the late Bill Garrett. McIntyre went on to star in college at Tennessee State; and

WHEREAS, Landon Turner was a two-time All-State player at Indianapolis Tech High School and graduated in 1978. Turner starred as a freshman when Indiana University (IU) won the 1979 NIT and he played on the 1981 NCAA Championship team; and

WHEREAS, Robert "Biscuit" Williams played for Shortridge High School, from which he graduated in 1956. Williams went on to star at St. Joseph's College in Rensselaer; and

WHEREAS, Randy Wittman played for Ben Davis High School, from which he graduated in 1978 before an All-American career as a four-year at IU. Wittman was on three Big Ten championship teams at IU and was the league's MVP and an Academic All-American, as well as a Basketball Writers' All-American as a senior on the 1983 Hoosiers. He moved on to a playing career in the NBA and has been an NBA coach or assistant coach since his retirement as a player; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council congratulates Roger Burkman, Jack Keefer, Jim Krivacs, Larry McIntyre, Landon Turner, Robert Williams, and Randy Wittman on this prestigious recognition.

SECTION 2. The Council recognizes each individual on their outstanding accomplishments and contributions to the state of Indiana.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 180, 2007. The proposal, sponsored by Councillors Brown, Conley, Langsford, Pfisterer, Gray and Sanders, recognizes William (Bill) P. Cloud for over 40 years of service to the Indianapolis Fire Department. Councillor Brown read the proposal and presented Mr. Cloud with a copy of the document and Council pin. Mr. Cloud thanked the Council for the recognition. Indianapolis Fire Department Chief James Greeson and President Gray thanked Mr. Cloud for his dedicated exemplary service. Councillor Brown moved, seconded by Councillor Conley, for adoption. Proposal No. 180, 2007 was adopted by a unanimous voice vote.

Proposal No. 180, 2007 was retitled COUNCIL RESOLUTION NO. 39, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 39, 2007

A COUNCIL RESOLUTION recognizing William (Bill) P. Cloud for over 40 years of service to the Indianapolis Fire Department.

WHEREAS, Firefighter Cloud was appointed to the Indianapolis Fire Department on August 10, 1966, and was assigned to Truck 7 as a probationary firefighter; and

WHEREAS, Bill Cloud was assigned as a regular firefighter to Engine 28 in August of 1967, but later that year transferred back to Truck 7; and

WHEREAS, in October 1969, Firefighter Cloud was promoted to Chauffeur and was reassigned to Engine 24 where after a few months he transferred to Truck 1 and eventually back to Truck 7 as Tillerman; and

WHEREAS, Bill Cloud transferred to the Payroll Office in November of 1975 and was appointed to the position of Chief of Finance, in which he has served for over thirty years; and

WHEREAS, as Chief Cloud has served under seven Fire Chiefs, developed 32 departmental budgets, assisted with numerous contract negotiations and supervised over 750 payrolls; and

WHEREAS, Bill Cloud is the Department's expert on the Fair Labor Standards Act and was the winner of the Administrative Firefighter of the Year Award in 1981; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council thanks Bill Cloud for many years of quality service to the Indianapolis Fire Department and to the City of Indianapolis.

SECTION 2. The Council heartily congratulates Chief Cloud on his retirement and wishes him many joyous days of family travel.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 181, 2007. The proposal, sponsored by Councillors Randolph and Conley, recognizes Stephen Neidig on attaining the rank of Eagle Scout. Councillor Conley read the

proposal and presented a copy of the document and Council pin to Mr. Neidig. Mr. Neidig thanked the Council for the recognition. Councillor Conley moved, seconded by Councillor Langsford, for adoption. Proposal No. 181, 2007 was adopted by a unanimous voice vote.

Proposal No. 181, 2007 was retitled SPECIAL RESOLUTION NO. 26, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 26, 2007

A SPECIAL RESOLUTION recognizing Steven Neidig on attaining the rank of Eagle Scout.

WHEREAS, Steven is with Troop 400, chartered by St. Michael's Church in Indianapolis and a freshman at Pike Freshman Center; and

WHEREAS, Steven joined scouting as a Tiger Cub in first grade and later earned the highest award offered, the Arrow of Light; and

WHEREAS, in the summer of 2005, Steven represented his troop at the National Jamboree at Ft. A. P. Hill in Virginia; and

WHEREAS, to receive the Eagle rank, each boy must get approval for, complete and submit a final report for a service project in which Steven worked with the airport authority to plant over 100 trees in Camby, IN, that will provide a habitat for the Indiana Bat; and

WHEREAS, only four in 100 boys who start scouting ever make it to Eagle; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The Indianapolis City-County Council proudly recognizes and celebrates this great accomplishment reached by Steven Neidig.

SECTION 2. The Council encourages Steven to continue in his journey and wishes him great success.

SECTION 3. The Mayor is invited to join in this resolution by affixing his signature hereto.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 176, 2007. The proposal, sponsored by Councillor Plowman, supports the restoration of competition within agricultural biotechnology markets. Councillor Plowman stated that this proposal simply helps to promote competition in agricultural biotechnology markets in Marion County. He moved, seconded by Councillor Schneider, for adoption.

Councillor Gibson stated that he understands the intent of this proposal, but has some issues with the wording, which seems to support one company over another. He moved, seconded by Councillor Nytes, to send Proposal No. 176, 2007 to the Economic Development Committee for further review and discussion.

Councillor Plowman said that the proposal does not side with one company over another, but simply refers to potential impact. Councillor Gibson said that there is rather strong language in the "Whereas" statements that he could not support. Councillor Nytes agreed and said that she would not feel comfortable opposing acquisition of land by a particular company without knowing more about the situation. She said she believes this issue needs additional study and she would welcome a discussion in the Economic Development Committee.

The motion to refer Proposal No. 176, 2007 to the Economic Development Committee carried on the following roll call vote; viz:

14 YEAS: Abdullah, Bateman, Boyd, Brown, Conley, Franklin, Gibson, Gray, Keller, Mahern, Nytes, Oliver, Pryor, Sanders

10 NAYS: Borst, Cain, Cockrum, Day, Langsford, McWhirter, Pfisterer, Plowman, Salisbury, Schneider

4 NOT VOTING: Mansfield, Moriarty Adams, Speedy, Vaughn

1 ABSENT: Randolph

PROPOSAL NO. 17, 2007. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 17, 2007 on March 14, 2007. The proposal, sponsored by Councillors Gray, Conley and Sanders, reappoints Erik D. Jones to the Urban Enterprise Association Board of Directors. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal No. 17, 2007 was adopted by a unanimous voice vote.

Proposal No. 17, 2007 was retitled COUNCIL RESOLUTION NO. 40, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 40, 2007

A COUNCIL RESOLUTION re-appointing Erik D. Jones to the Urban Enterprises Association Board of Directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Urban Enterprises Association Board of Directors, the Council re-appoints:

Erik D. Jones

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2009. The person appointed by this resolution shall serve at the pleasure of the council or until a successor is appointed and qualified.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Nytes reported that the Economic Development Committee heard Proposal Nos. 53-55, 2007 on March 14, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 53, 2007. The proposal, sponsored by Councillor Nytes, reappoints Lynn Molzan to the City Market Corporation Board. PROPOSAL NO. 54, 2007. The proposal, sponsored by Councillor Nytes, reappoints Susan Powers to the City Market Corporation Board. PROPOSAL NO. 55, 2007. The proposal, sponsored by Councillor Nytes, appoints Robert Whitt to the City Market Corporation Board. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Nytes moved, seconded by Councillor Sanders, for adoption. Proposal Nos. 53-55, 2007 were adopted by a unanimous voice vote.

Proposal No. 53, 2007 was retitled COUNCIL RESOLUTION NO. 41, 2007, and reads as follows:

March 26, 2007

CITY-COUNTY COUNCIL RESOLUTION NO. 41, 2007

A COUNCIL RESOLUTION re-appointing Lynn Molzan to the City Market Corporation board of directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City Market Corporation board of directors, the Council re-appoints:

Lynn Molzan

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 54, 2007 was retitled COUNCIL RESOLUTION NO. 42, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 42, 2007

A COUNCIL RESOLUTION re-appointing Susan Powers to the City Market Corporation board of directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City Market Corporation board of directors, the Council re-appoints:

Susan Powers

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 55, 2007 was retitled COUNCIL RESOLUTION NO. 43, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 43, 2007

A COUNCIL RESOLUTION appointing Robert Whitt to the City Market Corporation board of directors.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City Market Corporation board of directors, the Council re-appoints:

Robert Whitt

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Nytes reported that the Economic Development Committee heard Proposal Nos. 56 and 103, 2007 on March 14, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 56, 2007. The proposal, sponsored by Councillors Franklin, Gray and Conley, appoints David Girton to the Lawrence Economic Development Commission. PROPOSAL NO. 103, 2007. The proposal, sponsored by Councillors Franklin, Gray, Bateman, Brown, Conley and Sanders, appoints John Bartlett to the Lawrence Economic Development Commission. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they be stricken. Councillor Nytes moved, seconded by Councillor Conley, to strike. Proposal Nos. 56 and 103, 2007 were stricken by a unanimous voice vote.

PROPOSAL NO. 64, 2007. Councillor Mahern reported that the Metropolitan Development Committee heard Proposal No. 64, 2007 on March 19, 2007. The proposal, sponsored by Councillors Conley, Brown, Gray and Sanders, appoints Tom Brown, as a large business representative, to the Wellfield Education Corporation Board. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Mahern moved, seconded by Councillor Gibson, for adoption. Proposal No. 64, 2007 was adopted by a unanimous voice vote.

Proposal No. 64, 2007 was retitled COUNCIL RESOLUTION NO. 44, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 44, 2007

A COUNCIL RESOLUTION appointing Tom Brown to the Wellfield Education Corporation Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Wellfield Education Corporation Board, the Council appoints:

Tom Brown

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the or until such earlier date as a successor is appointed and qualified.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 101, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 101, 2007 on March 20, 2007. The proposal, sponsored by Councillors Gray, Conley, Brown and Sanders, reappoints Brenda Rising-Moore to the City-County Administrative Board. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Conley, for adoption. Proposal No. 101, 2007 was adopted by a unanimous voice vote.

Proposal No. 101, 2007 was retitled COUNCIL RESOLUTION NO. 45, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 45, 2007

A COUNCIL RESOLUTION reappointing Brenda Rising-Moore to the City-County Administrative Board.

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BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the City-County Administrative Board, the Council reappoints:

Brenda Rising-Moore

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007 pursuant to Sec. 281-101 of the Revised Code of the City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 105, 2007. Councillor Gibson reported that the Municipal Corporations Committee heard Proposal No. 105, 2007 on March 19, 2007. The proposal, sponsored by Councillors Brown and Conley, reappoints Monroe Gray to the Capital Improvement Board of Managers. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Cockrum stated that he understood Councillor Gray did not appear before the Committee for his reappointment. Councillor Gibson stated that Councillor Gray was in attendance and left after his reappointment was voted on. Councillor Cockrum asked if Councillor Gray shared that he has any interest in any companies that have contracts with the Capital Improvement Board that could cause a conflict of interest. President Gray stated that he has no business dealings with the Capital Improvement Board that he knows of.

Councillor Gibson moved, seconded by Councillor Brown, for adoption. Proposal No. 105, 2007 was adopted by a unanimous voice vote.

Proposal No. 105, 2007 was retitled COUNCIL RESOLUTION NO. 46, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 46, 2007

A COUNCIL RESOLUTION reappointing Monroe Gray to the Capital Improvement Board of Managers.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Capital Improvement Board board of managers, the Council reappoints:

Monroe Gray

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualified.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 107, 2007. Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal No. 107, 2007 on March 7, 2007. The proposal, sponsored by Councillors Gray, Brown, Conley and Sanders, appoints David Green to the Marion County Juvenile Detention Center Advisory Board. By a 6-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Moriarty Adams moved, seconded by Councillor Brown, for adoption. Proposal No. 107, 2007 was adopted by a unanimous voice vote.

Proposal No. 107, 2007 was retitled COUNCIL RESOLUTION NO. 47, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 47, 2007

A COUNCIL RESOLUTION appointing David Green to the Marion County Juvenile Detention Center Advisory Board.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Marion County Juvenile Detention Center Advisory Board, the Council reappoints:

David Green

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until such earlier date as a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 113, 2007. Councillor Conley reported that the Public Works Committee heard Proposal No. 113, 2007 on March 15, 2007. The proposal, sponsored by Councillors Gray, Conley, Oliver and Brown, appoints John Charleston to the Board of Public Works. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Oliver, for adoption. Proposal No. 113, 2007 was adopted by a unanimous voice vote.

Proposal No. 113, 2007 was retitled COUNCIL RESOLUTION NO. 48, 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 48, 2007

A COUNCIL RESOLUTION appointing John Charleston to the Board Of Public Works.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Board Of Public Works, the Council appoints:

John Charleston

SECTION 2. The appointment made by this resolution is for a term ending on December 31, 2007 pursuant to Sec. 261-402 of the Revised Code of the City and County. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 128 and 129, 2007 on March 6, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 128, 2007. The proposal, sponsored by Councillors Conley, Gray and Borst, reappoints Betty Wilson to the Council's County Salary Recommendation Panel, as a Majority Leader's appointment. PROPOSAL NO. 129, 2007. The proposal, sponsored by Councillors

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Borst, Gray and Conley, reappoints Jim Glynn to the Council's County Salary Recommendations Panel, as the Minority Leader's appointment. By 6-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Boyd moved, seconded by Councillor Conley, for adoption. Proposal Nos. 128 and 129, 2007 were adopted by a unanimous voice vote.

Proposal No. 128, 2007 was retitled COUNCIL RESOLUTION NO. 49 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 49, 2007

A COUNCIL RESOLUTION reappointing Betty Wilson to the Council's County Salary Recommendation Panel.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Council's County Salary Recommendation Panel, the Council reappoints:

Betty Wilson

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 129, 2007 was retitled COUNCIL RESOLUTION NO. 50 2007, and reads as follows:

CITY-COUNTY COUNCIL RESOLUTION NO. 50, 2007

A COUNCIL RESOLUTION reappointing Jim Glynn to the Council's County Salary Recommendation Panel.

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. As a member of the Council's County Salary Recommendation Panel, the Council reappoints:

Jim Glynn

SECTION 2. The appointment made by this resolution is for a term ending December 31, 2007. The person appointed by this resolution shall serve at the pleasure of the Council or until a successor is appointed and qualifies.

SECTION 3. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

INTRODUCTION OF PROPOSALS

PROPOSAL NO. 152, 2007. Introduced by Councillor Salisbury. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$7,927 in the 2007 Budget of the Wayne Township Assessor (Cumulative Capital Development Fund) to replace HVAC equipment"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 153, 2007. Introduced by Councillor Plowman. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$6,300 in the 2007 Budget of the Franklin Township Assessor (County General Fund) to pay for telephone service"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 154, 2007. Introduced by Councillors Nytes, Conley, Sanders, Gray and Gibson. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes the issuance of up to \$10.9 million in refunding bonds to generate savings and provide funds for capital projects in the Airport Industrial Economic Development Allocation and Expansion Areas"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 155, 2007. Introduced by Councillors Brown, Mahern, Conley, Gray, Sanders and Gibson. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$23,360 in the 2007 Budget of the Department of Parks and Recreation (Parks General Fund) to fund after school activities related to drug prevention at numerous school sites (\$13,940 grant from Drug Free Marion County); to expand tennis programs at four IPS schools (\$1,500 grant from the Central Indiana Tennis Association); and to fund salaries for three seasonal staff to assist in administering the summer lunch program at various sites (\$7,920 grant from the Hoover Family Foundation)"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 156, 2007. Introduced by Councillors Brown, Mahern, Gray, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$40,000 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing State Grants Fund) to pay for resurfacing tennis courts at Garfield park using waste tire asphalt (\$30,000 grant from the Indiana Department of Environmental Management); and to plant trees at Talbot and 29th, John Ed, and Ross Claypool parks (\$10,000 grant from the Indiana Department of Natural Resources) in association with the Alcoa Foundation and the Rupert's Kids Foundation"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 157, 2007. Introduced by Councillors Mahern, Brown, Gray, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$129,875 in the 2007 Budget of the Department of Parks and Recreation (Non-Lapsing Federal Grants Fund) to repair and expand the trail system at Southeastway Park, funded by a federal Recreational Trails Program grant administered by the Indiana Department of Natural Resources"; and the President referred it to the Parks and Recreation Committee.

PROPOSAL NO. 158, 2007. Introduced by Councillors Gray, Sanders, Conley, Brown, Abdullah, Franklin, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Keller and Langsford. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which approves the consolidation of the Warren Township Fire Department into the Indianapolis Fire Department on the effective date of July 1, 2007"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 159, 2007. Introduced by Councillors Moriarty Adams, Conley, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$32,500 for the Marion County Community Corrections Agency (Home Detention User Fee Fund) to hire a maintenance supervisor for the community corrections facility

at 147 East Maryland Street"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 160, 2007. Introduced by Councillors Franklin, Conley, Gray, Sanders and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which appropriates \$85,566 in the 2007 Budget of the Marion County Forensic Services Agency (State and Federal Grants Fund) to make improvements within the Marion County Crime Lab by upgrading computer software and adding equipment to the drug chemistry lab, financed by a U.S. Department of Justice grant administered by the Indiana Criminal Justice Institute"; and the President referred it to the Public Safety and Criminal Justice Committee.

PROPOSAL NO. 161, 2007. Introduced by Councillors Conley and Borst. The Clerk read the proposal entitled: "A Proposal for a General Resolution which establishes that the City-County Council is interested in making the purchase of easements on real estate currently owned by Thomas Professional Building, Inc., which are necessary for the construction of sewers on the Bangor-Delaware Septic Tank Elimination Project"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 162, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Gray, Sanders and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$1,800,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to restore funds used for snow fighting and street repair, including salt, asphalt and other supplies, plus snow removal contracts with private operators"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 163, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Sanders, Gray and Brown. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$30,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing State Grants Fund) to collect and dispose of hazardous materials, particularly mercury, financed by a grant from the Indiana Department of Environmental Management"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 164, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Sanders, Gray and Mahern. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to begin Phase 1 construction of the downtown Cultural Trail, funded by a grant from the Central Indiana Community Foundation"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 165, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$2,400,000 in the 2007 Budget of the Department of Public Works (Non-Lapsing Federal Grants Fund) for the land acquisition phase of the Washington Street/Ohio Street/Market Street/I-65/I-70 interchange project, funded by a federal earmark of funds allocated to the State of Indiana"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 166, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$80,000 in the 2007 Budget of the Department of Public Works (Solid Waste Disposal Fund) for operation and maintenance of the Belmont Ash Monofil"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 167, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Sanders and Gray. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$5,750,000 in the 2007 Budget of the Department of Public Works (Stormwater Management Utility Fund) for stormwater related maintenance costs and for stormwater capital improvements set to bid in 2007"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 168, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Brown, Gray, Sanders, Gibson and Nytes. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$5,000,000 in the 2007 Budget of the Department of Public Works (Transportation General Fund) to reduce the backlog of requests for curb/sidewalk/ramp repairs and for street resurfacing projects"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 169, 2007. Introduced by Councillors Conley, Moriarty Adams, Keller, Gray and Sanders. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an appropriation of \$2,000,000 in the 2007 Budget of the Department of Public Works (Sanitation Liquid Waste Fund) for sewer related expenses in connection with the expansion of the Indianapolis International Airport and its impact on the Bridgeport Interceptor, financed by the Sanitation General Fund balance and \$1.1 million for sewer relocation expenses incurred in connection with work performed by the State for I-70 and I-465 reconstruction work, financed by reimbursements from the State of Indiana"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 170, 2007. Introduced by Councillors Sanders, Conley, Nytes, Langsford, Brown and Gray. The Clerk read the proposal entitled: "A Proposal for a General Resolution which authorizes certain actions and agreements related to the financing of the purchase of motor vehicle fuel for the Department of Public Works, Fleet Services Division"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 171, 2007. Introduced by Councillors Pfisterer and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no parking restrictions on 20th Street from Luett Avenue to Tibbs Avenue (District 14)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 172, 2007. Introduced by Councillors Abdullah and Conley. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes no parking restrictions on Belmont Avenue and a multi-way stop at the intersection of 12th Street and Belmont (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 173, 2007. Introduced by Councillor Abdullah. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which authorizes parking meters and the relocation of a bus zone on Ohio Street near East Street (District 15)"; and the President referred it to the Public Works Committee.

PROPOSAL NO. 174, 2007. Introduced by Councillors Mansfield, Gray, Nytes, Pryor, Bateman, Conley and Sanders. The Clerk read the proposal entitled: "A Proposal for a General Ordinance which amends Chapter 451, Weapons, of the Code and adds new sections restricting the use and discharge of weapons in the Consolidated City"; and the President referred it to the Rules and Public Policy Committee.

PROPOSAL NO. 175, 2007. Introduced by Councillors Sanders, Nytes, Franklin, Borst, Plowman, Gray, Brown and Conley. The Clerk read the proposal entitled: "A Proposal for a Fiscal Ordinance which approves an increase of \$4,200,000 in the 2007 Budget of the Information Services Agency (Auditor's Endorsement Fee, County Sales Disclosure, Enhanced Access, Redevelopment Tax Increment Bonds of 1992, Storm Water Management Utility and County Records Perpetuation Funds) to pay for a new property system that improves property valuation and assessment trending, generates uniform tax bills and meets state requirements for an integrated process among the Assessor, Treasurer and Auditor of Marion County, financed by fund balances and an interfund loan"; and the President referred it to the Administration and Finance Committee.

PROPOSAL NO. 182, 2007. Introduced by Councillor Borst. The Clerk read the proposal entitled: "A Proposal for a Council Resolution which establishes a special committee to investigate the Indianapolis Star's allegations against Councillor Monroe Gray"; and the President referred it to the Rules and Public Policy Committee.

Councillor Sanders made the following motion:

Mr. President:

Sec. 151-76 of the Council Rules requires that public hearings for additional appropriations from the County General Fund be scheduled at the next regular meeting which is more than thirty (30) days after the proposal is introduced. Therefore, I move to suspend the requirements of Sec. 151-76 as to Proposal No. 153, 2007, which approves an appropriation of \$6,300 in the 2007 Budget of the Franklin Township Assessor to pay for telephone service, and authorize the Clerk to advertise the same for public hearing before this Council at its meeting on April 16, 2007.

Councillor Gibson seconded the motion, and the Rules were suspended by a unanimous voice vote.

SPECIAL ORDERS - PRIORITY BUSINESS

PROPOSAL NO. 151, 2007. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 151, 2007 on March 14, 2007. The proposal, sponsored by Councillor Nytes, is an extension of the original Inducement Resolution for Pedcor Investments-2006-LXXXVIII, L.P. in an amount not to exceed \$15,000,000 for the acquisition and construction of a 220-unit affordable apartment community (Forest Ridge Apartment Community Project) situated on approximately 25 acres located southeast of the intersection of 79th Street and Township Line Road (District 2). By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Mansfield stated that she supports the proposal, as more affordable housing is needed in the township. She said that there are some concerns about an increase in criminal activity, and she stated that it is imperative to encourage property managers to screen applicants well. She said that Pedcor has a record of well-managed properties.

Councillor McWhirter asked if this is a new building. Councillor Nytes said that it is new construction and that more rehabilitation projects were given volume cap last year, but this year more new construction projects are receiving volume. Councillor McWhirter asked if the project is receiving any tax abatements. Councillor Nytes said that they are not.

Councillor Nytes moved, seconded by Councillor Brown, for adoption. Proposal No. 151, 2007 was adopted on the following roll call vote; viz:

27 YEAS: Abdullallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Speedy, Vaughn

1 NAY: Schneider

1 ABSENT: Randolph

Proposal No. 151, 2007 was retitled SPECIAL RESOLUTION NO. 27, 2007, and reads as follows:

CITY-COUNTY SPECIAL RESOLUTION NO. 27, 2007

A SPECIAL RESOLUTION approving and authorizing certain actions and proceedings with respect to certain proposed economic development bonds.

WHEREAS, the City of Indianapolis, Indiana (the "Issuer"), is authorized by IC 36-7-11.9 and 12, as supplemented and amended (collectively, the "Act") to issue revenue bonds for the financing of economic development facilities, the funds from said financing to be loaned to a developer and used for the acquisition, rehabilitation, installation and equipping of such facilities.

WHEREAS, Pedcor Instruments – 2006 – LVXXXVIII, or its assigns (the "Applicant") has advised the Indianapolis Economic Development Commission (the "Commission") and the Issuer that it proposes that the Issuer issue its revenue bonds and loan the proceeds of the Bonds to the Applicant for use in acquiring and constructing certain economic development facilities, said economic development facilities consisting of a 220-unit apartment community to be known as Forest Ridge Apartment Community located southeast of the intersection of 79th Street and Township Line Road in District 2 (the "Project"); and

WHEREAS, the Commission adopted a Report (the "Original Report") and a resolution (the "Original EDC Resolution"), both on May 17, 2006, inducing the Applicant to proceed with the financing of the Project through the issuance of economic development facility revenue bonds; and

WHEREAS, the Issuer previously adopted a resolution (the "Original Issuer Resolution") on June 5, 2006, also inducing the Applicant to proceed with the financing of the Project through the issuance of economic development facility revenue bonds; provided that the bonds would be issued by December 31, 2006; and

WHEREAS, the Applicant was unable to secure the necessary private activity bond volume cap from the State of Indiana during calendar year in order to issue the bonds on or prior to December 31, 2006; and

WHEREAS, the diversification of industry and the creation and retention of opportunities for gainful employment and the creation of business properties to be achieved by the acquisition and rehabilitation of the Project will serve a public purpose and be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, it would appear that the financing of the Project would be of benefit to the health or general welfare of the Issuer and its citizens; and

WHEREAS, the acquisition and construction of the Project will not have an adverse competitive effect on similar facilities already constructed or operating within the jurisdiction of the Issuer; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. It finds, determines, ratifies and confirms that the diversification of industry and the creation and retention of opportunities for gainful employment within the jurisdiction of the Issuer; is desirable, serves a public purpose and is of benefit to the health or general welfare of the Issuer; and that it is in the public interest that this Issuer take such action as it lawfully may to encourage the diversification of industry, the creation of business opportunities, and the retention of opportunities for gainful employment within the jurisdiction of the Issuer.

SECTION 2. It further finds, determines, ratifies and confirms that the issuance and sale of revenue bonds of the Issuer in an amount not to exceed \$15,000,000 under the Act to be privately placed or publicly offered and the loan of the proceeds of the revenue bonds to the Applicant for the acquisition and construction of the Project will serve the public purposes referred to above in accordance with the Act.

SECTION 3. In order to induce the Applicant to proceed with the acquisition and construction of the Project, the Commission requests the City-County Council of the Issuer to (i) take or cause to be taken such actions pursuant to the Act as may be required to implement the aforesaid financing, or as it may deem appropriate in pursuance thereof; provided (a) that all of the foregoing shall be mutually acceptable to the Issuer and the Applicant and (b) subject to the further caveat that the proposed inducement resolution expires on December 31, 2007, unless such bonds have been issued or an Ordinance authorizing the issuance of such bonds has been adopted by the City-County Council of the Issuer prior to the aforesaid date or unless, upon a showing of good cause by the Applicant, the Issuer, by official action extends the term of the inducement resolution; and (ii) it will adopt such resolutions and authorize the execution and delivery of such instruments and the taking of such action as may be necessary and advisable for the authorization, issuance and sale of said economic development revenue bonds provided that, at the time of the proposed issuance of such bonds, (a) the inducement resolution is still in effect and (b) if applicable, the aggregate amount of private activity bonds previously issued during the calendar year will not exceed the private activity bond limit for such calendar year, it being understood that the Issuer, by taking this action, is not making any representation nor any assurances that (1) any such allocable limit will be available, because inducement resolutions in an aggregate amount in excess of the private activity bond limit may, and in all probability will, be adopted; (2) the proposed Project will have no priority over other projects which have applied for such private activity bonds and have received inducement resolutions; and (3) no portion of such private activity bond limit has been guaranteed for the proposed Project; and (iii) it will use its best efforts at the request of the Applicant to authorize the issuance of additional bonds for refunding and refinancing the outstanding principal amount of the bonds, for completion of the Project and for additions to the Project, including the costs of issuance (providing that the financing of such addition or additions to the Project is found to have a public purpose at the time of the authorization of such additional bonds), and that the aforementioned purposes comply with the provisions of the Act.

SECTION 4. All costs of the Project incurred after the date permitted by applicable federal tax and state laws, including reimbursement or repayment to the Applicant of moneys expended by the Applicant for planning, engineering, a portion of the interest paid during acquisition, construction, and equipping, underwriting expenses, attorney and bond counsel fees, and acquisition, construction and equipping of the Project will be permitted to be included as part of the bond issue to finance the Project, and the Issuer will lend the proceeds from the sale of the bonds to the Applicant for the same purposes. Also, certain indirect expenses, including but not limited to, planning, architectural work and engineering incurred prior to this inducement resolution will be permitted to be included as part of the bond issue to finance the Project.

SECTION 5. This Special Resolution is supplemental to the Original Special Resolution, which Original Special Resolution, on its date, constituted "official action" for purposes of compliance with federal and state laws requiring governmental action as authorization for future reimbursement from the proceeds of bonds.

SECTION 6. The Council recognizes that the Applicant intends to utilize Tax Credits, if available, pursuant to Section 42 of the Internal Revenue Code of 1986, as amended, or any successor section thereof in connection with the financing of the Project with tax-exempt bonds.

SECTION 7. Based solely upon representations of the Applicant, the Council hereby finds and determines that the amount of tax credits to be allocated to the Project under Section 42 of the Internal Revenue Code of 1986, as amended, does not exceed the amount necessary for the financial feasibility of the Project and its viability as a qualified housing project throughout the credit period for the Project. In making the foregoing determination, the Issuer has relied upon representations of the Applicant. The foregoing determinations shall not be construed to be a representation or warranty by the Issuer as to the feasibility or viability of the Project. The Mayor of the City of Indianapolis (the "Mayor") is hereby directed to delegate to the Director, Department of Metropolitan Development, the authority to execute on behalf of the Mayor and the Issuer any and all documents required in the application process for tax credit or volume cap allocations from the appropriate State of Indiana agency. In reliance upon the representations of the Applicant, it is hereby found and determined that the Project satisfies the requirements for the allocation of a housing credit dollar amount under the State's qualified allocation plan.

SECTION 8. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - PUBLIC HEARING

PROPOSAL NO. 104, 2007. Councillor Nytes reported that the Economic Development Committee heard Proposal No. 104, 2007 on March 14, 2007. The proposal, sponsored by Councillors Nytes, Moriarty Adams, Langsford and Keller, approves an increase of \$250,000 in the 2007 Budget of the Office of Finance and Management (City Cumulative Capital Fund) to replace the plumbing and make other repairs at the Historic City Market, which is undergoing renovations. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:35 p.m. There being no one present to testify, Councillor Nytes moved, seconded by Councillor Gibson, for adoption. Proposal No. 104, 2007 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn*
1 NAY: *Franklin*
1 NOT VOTING: *Brown*
1 ABSENT: *Randolph*

Proposal No. 104, 2007 was retitled FISCAL ORDINANCE NO. 15, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 15, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Two Hundred Fifty Thousand Dollars (\$250,000) in the City Cumulative Capital Fund for the purposes of the Office of Finance and Management.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Office of Finance and Management to replace the plumbing and make other repairs at the Historic City Market, financed by fund balance.

SECTION 2. The sum of Two Hundred Fifty Thousand Dollars (\$250,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>OFFICE OF FINANCE AND MANAGEMENT</u>	<u>CITY CUMULATIVE CAPITAL FUND</u>
4. Capital Outlay	<u>250,000</u>
TOTAL INCREASE	250,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Fund	<u>250,000</u>
TOTAL DECREASE	250,000

SECTION 5. In accordance with Sec. 151-64 of the Revised Code of the Consolidated City and County, the following fund balance information is provided:

March 26, 2007

The 2006 ending fund balance for the City Cumulative Capital Fund (on a budgetary basis) is estimated to be \$2.777 million. (Still subject to audit adjustments, as of February 23, 2007.)

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the City Cumulative Capital Fund is estimated to be \$636K.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Councillor Moriarty Adams reported that the Public Safety and Criminal Justice Committee heard Proposal Nos. 109-111, 2007 on March 7, 2007. She asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 109, 2007. The proposal, sponsored by Councillors Moriarty Adams, Borst, Brown, Conley and Gibson, appropriates \$6,550 in the 2007 Budget of Marion Superior Court (State and Federal Grants Fund) to promote local drug court programs and produce a community education video, funded by a grant from the Indiana Supreme Court. PROPOSAL NO. 110, 2007. The proposal, sponsored by Councillors Moriarty Adams, Brown and Conley, appropriates \$174,461 in the 2007 Budgets of the Marion Superior Court, Marion County Prosecutor and Marion County Justice Agency (Drug Free Community Fund) for various Drug Free Community grants: \$62,500 to partially fund the Marion County Drug Treatment Court and a Community Court Resource Coordinator; \$46,961 to fund an investigator in the Community Prosecution Division; and \$65,000 to provide a grant to Drug Free Marion County to cover administrative expensive, financed by a reduction of current appropriations and existing fund balance. PROPOSAL NO. 111, 2007. The proposal, sponsored by Councillors Sanders, Nytes, Moriarty Adams, Brown, Langsford, Keller, Gray and Conley, approves an increase of \$400,000 in the 2007 Budget of the Indianapolis Metropolitan Police Department and the Department of Public Safety, Fire Division (City Cumulative Capital Fund), to purchase approximately ten replacement vehicles each. By 5-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass.

Councillor Franklin asked where the 10 vehicles purchased for the Indianapolis Police Department in Proposal No. 111, 2007 will be used. Councillor Moriarty Adams stated that they are squad cards to replace existing squad cars in the fleet, but she does not know specifically where they are assigned. Councillor Franklin asked if the cars will be used by administrative personnel or on the street. Councillor Moriarty Adams said that she assumes they will be used on the street, as they are squad cars. Councillor Franklin asked that Proposal No. 111, 2007 be voted on separately. Consent was given.

President Gray called for public testimony at 8:55 p.m.

Eric Strange, police officer in the southeast district, stated that his vehicle is a 1999 model with over 113,000 miles, and he is concerned that street level officers are not getting the new vehicles. He said that recently a back-up car died while chasing a fleeing felon, and this is a matter of safety that these new vehicles be put on the street. Councillor Brown asked if Mr. Strange supports the purchase of the cars. Mr. Strange stated that he would support if he could be assured that they would go to street officers.

Councillor Conley said that who gets the new cars is a public safety administration issue and the Council does not micro-manage at that level.

Mr. Strange said that his district has the largest amount of officers and are the busiest shift, yet they have no new cars. Councillor Mansfield said that this proposes 10 new cars, which even if

they go to administrative personnel, are 10 new cars that will bring the department closer to the next on the list. Councillor Moriarty Adams stated that she will make every effort to find out where the cars are going and will follow up with Mr. Strange. Amy Merrick, Office of Finance and Management, stated that they are designated as patrol cars, but she does not know what specific district they will be assigned to.

Councillor McWhirter asked what the fund balance is in this fund. Ms. Merrick stated that after this proposal, the balance is estimated at \$636,000.

Ernie Shearer, citizen, stated that he is opposed to his property being broken into and calling on police officers who have inferior equipment and cannot get there in a timely manner. He asked that the Council put pressure on administrative personnel to put the cars where they are needed most and make sure that officers have safe equipment.

President Gray stated that the Council does not direct where cars or equipment goes, but police officers should take up their issue with safe and proper equipment with their supervisors to get such things resolved.

There being no further testimony, Councillor Moriarty Adams moved, seconded by Councillor Conley, for adoption.

President Gray stated that each proposal will be voted on separately, as requested.

Proposal No. 109, 2007 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn
0 NAYS:
1 ABSENT: Randolph

Proposal No. 109, 2007 was retitled FISCAL ORDINANCE NO. 16, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 16, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Six Thousand Five Hundred Fifty Dollars (\$6,550) in the State & Federal Grants Fund for purposes of the Marion County Superior Court.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(f) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Marion County Superior Court to appropriate a grant for \$6,550 from the Indiana Supreme County for the Marion County Drug Treatment Court to produce a community education video.

SECTION 2. The sum of Six Thousand Five Hundred Fifty Dollars (\$6,550) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

March 26, 2007

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>STATE AND FEDERAL GRANTS FUND</u>
1. Personal Services	0
2. Supplies	500
3. Other Services and Charges	6,050
4. Capital Outlay	0
5. Internal Charges	<u>0</u>
TOTAL INCREASE	6,550

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>STATE AND FEDERAL GRANTS FUND</u>
Unappropriated and Unencumbered	
State and Federal Grants Fund	<u>6,550</u>
TOTAL DECREASE	6,550

SECTION 5. There is no local match associated with this grant.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 110, 2007 was adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn*
0 NAYS:
1 ABSENT: *Randolph*

Proposal No. 110, 2007 was retitled FISCAL ORDINANCE NO. 17, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 17, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating One Hundred Seventy Four Thousand Four Hundred Sixty-one Dollars (\$174,461) in the Drug Free Community Fund for purposes of the Marion County Superior Court, Marion County Prosecutor and the Marion County Justice Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.05(c and f) and Section 106 (d) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for the following grants:

\$62,500 total for the Marion County Superior Court to fund the Marion County Drug Treatment Court (\$19,500) and the Community Court Resource Coordinator (\$43,000);

\$46,961 for the Marion County Prosecutor to fund an investigator in the Community Prosecution Division;
and

\$65,000 for the Marion County Justice Agency to provide a grant to Drug Free Marion County to cover administrative expenses

SECTION 2. The sum of One Hundred Seventy Four Thousand Four Hundred Sixty-one Dollars (\$174,461) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>MARION SUPERIOR COURT</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	43,000
2. Supplies	0
3. Other Services and Charges	19,500
4. Capital	0
TOTAL INCREASE	62,500

<u>MARION COUNTY PROSECUTOR</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	45,161
2. Supplies	0
3. Other Services and Charges	1,800
4. Capital	0
TOTAL INCREASE	46,961

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	65,000
4. Capital	0
TOTAL INCREASE	65,000

SECTION 4. The said increased appropriation is funded by the following reductions:

<u>MARION COUNTY JUSTICE AGENCY</u>	<u>DRUG FREE COMMUNITY FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	109,461
4. Capital	0
TOTAL DECREASE	109,461

	<u>DRUG FREE COMMUNITY FUND</u>
Unappropriated and Unencumbered	
Drug Free Community Fund	65,000
TOTAL DECREASE	65,000

SECTION 5. There is no local match required for these Drug Free grants. These grants will fund a portion of the salaries for 1.0 full time equivalent (FTE) position for the Marion County Superior Court, and 1.0 FTE for the Marion County Prosecutor's Office.

SECTION 6. Except to the extent of matching funds approved in the ordinance, the council does not intend to use the revenues from any local tax regardless of source to supplement or extend the appropriation for the agencies or projects authorized by this ordinance. The supervisor of the agency or project, or both, and the controller are directed to notify in writing the city-county council immediately upon receipt of any information that the agency or project is, or may be, reduced or eliminated.

SECTION 7. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 111, 2007 was adopted on the following roll call vote; viz:

24 YEAS: Abdullah, Bateman, Boyd, Brown, Cain, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Sanders, Schneider, Speedy, Vaughn
4 NAYS: Borst, Cockrum, Franklin, Salisbury
1 ABSENT: Randolph

Proposal No. 111, 2007 was retitled FISCAL ORDINANCE NO. 18, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 18, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006 and the City-County Police Special Service District Ordinance No 1, 2006) appropriating Four Hundred Dollars (\$400,000) in the City Cumulative Capital Fund for the purposes of the Indianapolis Metropolitan Police Department and the Department Of Public Safety, Fire Division.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the 2007 annual budget, Section 1.01 (k) of City-County Fiscal Ordinance No. 89, 2006 and Section 1 of the City-County Police Special Service District Ordinance No 1, 2006) be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Indianapolis Metropolitan Police Department and the Department Of Public Safety, Fire Division, to purchase approximately ten replacement vehicles each, financed by fund balance.

SECTION 2. The sum of Four Hundred Thousand Dollars (\$400,000) be, and the same is hereby transferred for the purposes as shown in Section 3 by reducing the accounts as shown in Section 4.

SECTION 3. The following increased appropriation is hereby approved:

<u>INDIANAPOLIS METROPOLITAN POLICE DEPARTMENT</u>	<u>CITY CUMULATIVE CAPITAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	200,000
5. Internal Charges	0
TOTAL INCREASE	200,000

<u>DEPARTMENT OF PUBLIC SAFETY, FIRE DIVISION</u>	<u>CITY CUMULATIVE CAPITAL FUND</u>
1. Personal Services	0
2. Supplies	0
3. Other Services and Charges	0
4. Capital Outlay	200,000
5. Internal Charges	0
TOTAL INCREASE	200,000

SECTION 4. The said increased appropriation is funded by the following reductions:

	<u>CITY CUMULATIVE CAPITAL FUND</u>
Unappropriated and Unencumbered	
City Cumulative Capital Fund	400,000
TOTAL DECREASE	400,000

SECTION 5. In accordance with section 151-64 of the revised code of the Consolidated City and County, the following fund balance information is provided:

The 2006 ending fund balance for the City Cumulative Capital Fund (on a budgetary basis) was \$2.777 million.

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the City Cumulative Capital Fund is estimated to be \$1.286 million.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 132, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 132, 2007 on March 6, 2007. The proposal, sponsored by Councillors Sanders and McWhirter, approves an appropriation of \$41,050 in the 2007 Budget of the Cable Communications Agency (Consolidated County Fund) to fund a public purpose grant to

Indiana University for operational costs for the Educational Television Cooperative, such as line leases and engineering, financed by fund balance. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

President Gray called for public testimony at 8:59 p.m. There being no one present to testify, Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 132, 2007 was adopted on the following roll call vote; viz:

25 YEAS: Abdullah, Bateman, Borst, Boyd, Cain, Cockrum, Conley, Day, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Speedy, Vaughn

0 NAYS:

3 NOT VOTING: Brown, Gray, Schneider

1 ABSENT: Randolph

Proposal No. 132, 2007 was retitled FISCAL ORDINANCE NO. 19, 2007, and reads as follows:

CITY-COUNTY FISCAL ORDINANCE NO. 19, 2007

A FISCAL ORDINANCE amending the City-County Annual Budget for 2007 (City-County Fiscal Ordinance No. 89, 2006) appropriating Forty-one Thousand Fifty Dollars (\$41,050) in the Consolidated County Fund for purposes of the Cable Communications Agency.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. To provide for expenditures the necessity for which has arisen since the adoption of the annual budget, Section 1.01 (d) of the City-County Annual Budget for 2007 be, and is hereby, amended by the increases and reductions hereinafter stated for purposes of the Cable Communications Agency to fund operational costs for the Educational Television Cooperative, such as line leases and engineering, financed by fund balance.

SECTION 2. The sum of Forty-one Thousand Fifty Dollars (\$41,050) be, and the same is hereby appropriated for the purposes as shown in Section 3 by reducing the appropriated balance as shown in Section 4.

SECTION 3. The following additional appropriation is hereby approved:

<u>CABLE COMMUNICATIONS AGENCY</u>	<u>CONSOLIDATED COUNTY FUND</u>
3. Other Services and Charges	<u>41,050</u>
TOTAL INCREASE	41,050

SECTION 4. The said additional appropriation is funded by the following reductions:

	<u>CONSOLIDATED COUNTY FUND</u>
Unappropriated and Unencumbered	
Consolidated County Fund	<u>41,050</u>
TOTAL DECREASE	41,050

SECTION 5. In accordance with Section 151-64 of the Revised Code of the Consolidated City and County, the following fund balance information is provided;

The 2006 ending fund balance for the Consolidated County Fund (on a budgetary basis) was estimated at \$10.2 million.

After deducting the appropriation included in this and other pending proposals, the 2007 ending fund balance for the Consolidated County Fund is estimated to be \$7 million. Because this appropriation was included as a 2006 expenditure (second half of the year), it has no net effect on the projected fund balance for 2007.

SECTION 6. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

SPECIAL ORDERS - FINAL ADOPTION

Councillor Sanders asked for consent to move Proposal No. 102, 2007 as the first item under Final Adoption. Consent was given.

PROPOSAL NO. 102, 2007. Councillor Sanders reported that the Administration and Finance Committee heard Proposal No. 102, 2007 on March 20, 2007. The proposal, sponsored by Councillors Sanders, Nytes, Langsford and Brown, authorizes the issuance of up to \$75 million in refunding bonds to generate savings and provide funds for capital projects. By a 5-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Sanders moved, seconded by Councillor Nytes, for adoption. Proposal No. 102, 2007 was adopted on the following roll call vote; viz:

28 YEAS: Abdullallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn

0 NAYS:

1 ABSENT: Randolph

Proposal No. 102, 2007 was retitled GENERAL RESOLUTION NO. 2, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 2, 2007

A GENERAL RESOLUTION approving the issuance of: (a) "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirty-One Million Four Hundred Thirty-Five Thousand Dollars (\$31,435,000); (b) "City of Indianapolis, Indiana, Flood Control District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Six Million Two Hundred Thirty Thousand Dollars (\$6,230,000); (c) "City of Indianapolis, Indiana, Metropolitan Thoroughfare District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Twenty-Three Million Nine Hundred Sixty Thousand Dollars (\$23,960,000); and (d) "City of Indianapolis, Indiana, Park District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirteen Million Three Hundred Seventy-Five Thousand Dollars (\$13,375,000).

WHEREAS, the Sanitary District of the City of Indianapolis, Indiana (the "Sanitary District"), has previously issued its Sanitary District Bonds of 1993, Series A, in the original aggregate principal amount of \$64,125,000 and which are currently outstanding in the aggregate principal amount of \$51,825,000 (the "1993 Sanitary District Bonds"); and

WHEREAS, on March 14, 2007, the Board of Public Works of the City of Indianapolis, Indiana (the "Board of Public Works"), being the governing body of the Sanitary District, adopted a bond resolution authorizing the issuance of special taxing district refunding bonds of the Sanitary District to be designated as "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirty-One Million Four Hundred Thirty-Five Thousand Dollars (\$31,435,000) for the purpose of procuring funds (i) to apply to the current refunding of all or a portion of the 1993 Sanitary District Bonds which mature on January 1, 2014, through and including January 1, 2018, and are currently outstanding in an aggregate principal amount of \$27,805,000 (the "Sanitary District Refunded Bonds") in order to effect a savings to the Sanitary District; (ii) to fund capital projects of the Sanitary District; and (iii) to pay the costs of issuance of the special taxing district refunding bonds (sub-paragraphs (i), (ii) and (iii), collectively, the "Sanitary District Refunding Program"); and

WHEREAS, the Flood Control District of the City of Indianapolis, Indiana (the "Flood Control District"), has previously issued its Flood Control District Bonds of 1993, Series A, in the original aggregate principal amount of \$11,940,000 and which are currently outstanding in the aggregate principal amount of \$9,645,000 (the "1993 Flood Control District Bonds"); and

WHEREAS, on March 14, 2007, the Board of Public Works, being the governing body of the Flood Control District, adopted a bond resolution authorizing the issuance of special taxing district refunding bonds of the Flood Control District to be designated as "City of Indianapolis, Indiana, Flood Control District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Six Million Two Hundred Thirty Thousand Dollars (\$6,230,000), for the purpose of procuring funds (i) to apply to the current refunding of all or a portion of the 1993 Flood Control District Bonds which mature on January 1, 2014, through and including January 1, 2018, and are currently outstanding in an aggregate principal amount of \$5,515,000 (the "Flood Control District Refunded Bonds") in order to effect a savings to the Flood Control District; (ii) to fund capital projects of the Flood Control District; and (iii) to pay the costs of issuance of the special taxing district refunding bonds (sub-paragraphs (i), (ii) and (iii), collectively, the "Flood Control District Refunding Program"); and

WHEREAS, the Metropolitan Thoroughfare District of the City of Indianapolis, Indiana (the "Metropolitan Thoroughfare District"), has previously issued its Metropolitan Thoroughfare District Bonds of 1993, Series A, in the original aggregate principal amount of \$59,390,000 and which are currently outstanding in the aggregate principal amount of \$37,090,000 (the "1993 Metropolitan Thoroughfare District Bonds"); and

WHEREAS, on March 14, 2007, the Board of Public Works, acting as the Board of Transportation of the City of Indianapolis, Indiana (the "Board of Transportation"), being the governing body of the Metropolitan Thoroughfare District, adopted a bond resolution authorizing the issuance of special taxing district refunding bonds of the Metropolitan Thoroughfare District to be designated as "City of Indianapolis, Indiana, Metropolitan Thoroughfare District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Twenty-Three Million Nine Hundred Sixty Thousand Dollars (\$23,960,000), for the purpose of procuring funds (i) to apply to the current refunding of all or a portion of the 1993 Metropolitan Thoroughfare District Bonds which mature on January 1, 2014, through and including January 1, 2018, and are currently outstanding in an aggregate principal amount of \$21,195,000 (the "Metropolitan Thoroughfare District Refunded Bonds") in order to effect a savings to the Metropolitan Thoroughfare District; (ii) to fund capital projects of the Metropolitan Thoroughfare District; and (iii) to pay the costs of issuance of the special taxing district refunding bonds (sub-paragraphs (i), (ii) and (iii), collectively, the "Metropolitan Thoroughfare District Refunding Program"); and

WHEREAS, the Park District of the City of Indianapolis, Indiana (the "Park District"), has previously issued its Park District Bonds of 1993, Series A, in the original aggregate principal amount of \$25,625,000 and which are currently outstanding in the aggregate principal amount of \$20,715,000 (the "1993 Park District Bonds"); and

WHEREAS, on March 22, 2007, the Board of Parks and Recreation of the City of Indianapolis, Indiana (the "Parks Board"), being the governing body of the Park District, adopted a bond resolution authorizing the issuance of special taxing district refunding bonds of the Park District to be designated as "City of Indianapolis, Indiana, Park District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirteen Million Three Hundred Seventy-Five Thousand Dollars (\$13,375,000), for the purpose of procuring funds (i) to apply to the current refunding of all or a portion of the 1993 Park District Bonds which mature on January 1, 2014, through and including January 1, 2018, and are currently outstanding in an aggregate principal amount of \$11,835,000 (the "Park District Refunded Bonds") in order to effect a savings to the Park District; (ii) to fund capital projects of the Park District; and (iii) to pay the costs of issuance of the special taxing district refunding bonds (sub-paragraphs (i), (ii) and (iii), collectively, the "Park District Refunding Program"); and

WHEREAS, each of the Board of Public Works, the Board of Transportation and the Parks Board has requested the approval of the City-County Council of the issuance of said special taxing district refunding bonds of the Sanitary District, the Flood Control District, the Metropolitan Thoroughfare District and the Park District, respectively, pursuant to IC 36-3-5-8, and the City-County Council now finds that the issuance of said bonds should be approved; now, therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA

SECTION 1. (a) For the purpose of providing funds for the Sanitary District Refunding Program, the City-County Council does hereby approve the issuance of special taxing district refunding bonds of the Sanitary District of the City of Indianapolis, Indiana, to be designated as "City of Indianapolis, Indiana, Sanitary District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirty-One Million Four Hundred Thirty-Five Thousand Dollars (\$31,435,000), which shall bear interest at a rate or rates not to exceed eight percent (8.00%) or produce a yield not to exceed seven percent (7.00%) per annum and a final maturity no later than January 1, 2018.

(b) For the purpose of providing funds for the Flood Control District Refunding Program, the City-County Council does hereby approve the issuance of special taxing district refunding bonds of the Flood Control District of the City of Indianapolis, Indiana, to be designated as "City of Indianapolis, Indiana, Flood Control District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Six Million Two Hundred Thirty Thousand Dollars (\$6,230,000), which shall bear interest at a rate or rates not to exceed eight percent (8.00%) or produce a yield not to exceed seven percent (7.00%) per annum and a final maturity no later than January 1, 2018.

(c) For the purpose of providing funds for the Metropolitan Thoroughfare District Refunding Program, the City-County Council does hereby approve the issuance of special taxing district refunding bonds of the Metropolitan Thoroughfare District of the City of Indianapolis, Indiana, to be designated as "City of Indianapolis, Indiana, Metropolitan Thoroughfare District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Twenty-Three Million Nine Hundred Sixty Thousand Dollars (\$23,960,000), which shall bear interest at a rate or rates not to exceed eight percent (8.00%) or produce a yield not to exceed seven percent (7.00%) per annum and a final maturity no later than January 1, 2018.

(d) For the purpose of providing funds for the Park District Refunding Program, the City-County Council does hereby approve the issuance of special taxing district refunding bonds of the Park District of the City of Indianapolis, Indiana, to be designated as "City of Indianapolis, Indiana, Park District Refunding Bonds of 2007, Series A," in an original aggregate principal amount not to exceed Thirteen Million Three Hundred Seventy-Five Thousand Dollars (\$13,375,000), which shall bear interest at a rate or rates not to exceed eight percent (8.00%) or produce a yield not to exceed seven percent (7.00%) per annum and a final maturity no later than January 1, 2018.

SECTION 2. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14, 36-3-4-15, 36-3-4-16 and 36-3-4-17.

PROPOSAL NO. 641, 2006. Councillor Conley reported that the Public Works Committee heard Proposal No. 641, 2006 on March 15, 2007. The proposal, sponsored by Councillors Mahern, Pfisterer, Sanders and Conley, amends the Code to allow for parking meters that take payment other than coins and to define the manner of parking. By a 9-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. Councillor Conley moved, seconded by Councillor Gibson, for adoption. Proposal No. 641, 2006 was adopted on the following roll call vote; viz:

26 YEAS: *Abduallah, Bateman, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn*
0 NAYS:
2 NOT VOTING: *Borst, Franklin*
1 ABSENT: *Randolph*

Proposal No. 641, 2006 was retitled GENERAL ORDINANCE NO. 4, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 4, 2007

A GENERAL ORDINANCE to amend portions of the "Revised Code of the Consolidated City and County" to allow for parking meters that take payment other than coins and to define the the manner of parking.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Chapter 621, Article II, Sections 201, 209, 211, 212, 215, 216, 219, 220 and 222 of the "Revised Code of the Consolidated City and County," regarding parking meters and their definitions, hereby is amended by the deletion of the language that is stricken-through, and by the addition of the language that is underscored, to read as follows:

Sec. 621-201. Definitions.

As used in this article, the following terms shall have the meanings ascribed to them in this section:

Payment shall mean the form or forms of acceptable payment as designated on or near the parking meter.

Parking meter or meter facility shall mean any ~~mechanical~~ device or meter operated either manually or automatically ~~by the deposit of coins~~, as prescribed in this article, which is placed or erected for the regulation of parking of vehicles for specific periods of time upon the public streets and places of the city by authority of this article or otherwise.

Parking meter space shall mean the space or the section of the street adjacent to the curb or edge of the roadway indicated by lines painted or otherwise durably marked on the surface of the street and curb, or otherwise plainly indicated, and ~~located adjacent to or adjoining~~ regulated by parking meters, in which space vehicles may be parked for the respective periods of time hereinafter prescribed, as indicated for each such space upon or near the parking meters.

Sec. 621-202. Parking meter zones designated.

The streets and portions of streets designated in this section are hereby established as parking meter zones and the maximum time which a vehicle may be parked in a parking space within a parking meter zone shall be as prescribed in this section. The parking meter zones in the city shall be as follows:

30 MINUTES

Market Street, on the north side, from Delaware Street to Alabama Street;

ONE HOUR

Alabama Street, on the west side, from Ohio Street to a point 169 feet south of Ohio Street;

Blackford Street, on the east side, from a point 671 feet south of New York Street, to a point 495 feet south of New York Street;

East Street, on the east side, from a point 35 feet north of Georgia Street, to a point 295 feet north of Georgia Street;

East Street, on the west side, from a point eighteen (18) feet north of Wabash Street to a point one hundred twenty-one (121) feet north of Wabash Street;

Market Street, on both sides, from a point 114 feet east of the east curblane of Alabama Street to a point 114 feet west of the west curblane of New Jersey Street;

Market Street, on both sides, from Capitol Avenue to Illinois Street;

Market Street, on both sides, from Pennsylvania Street to Delaware Street;

South Street, on both sides, from Capitol Avenue to Illinois Street;

University Boulevard, on the east side, from a point 174 feet north of New York Street to a point 483 feet north of New York Street;

Wabash Street, on the south side, from Illinois Street to Capitol Avenue;

TWO HOURS

Ninth Street, on both sides, from Illinois Street to Pennsylvania Street;

Fifteenth Street, on the south side, from Capitol Avenue to Illinois Street;

Alabama Street, on both sides, from Ohio Street to St. Clair Street;

Audubon Road, on both sides, from a point 30 feet north of the north curblane of Washington Street, to a point 135 feet north of Washington Street;

Broad Ripple Avenue (Sixty-third Street), on both sides, from College Avenue to Winthrop Avenue;

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Capitol Avenue, on the east side, from Thirteenth Street to Fifteenth Street;

Capitol Avenue, on the east side, from Georgia Street to a point 300 feet south of Georgia Street;

Capitol Avenue, on the east side, from a point 205 feet north of Ohio Street to Washington Street;

Capitol Avenue, on the east side, from St. Clair Street to New York Street;

Capitol Avenue, on the west side, from Thirteenth Street to Sixteenth Street;

Capitol Avenue, on the west side, from St. Clair Street to Court Street;

Capitol Avenue, on the west side, from Maryland Street to a point 180 feet north of Maryland Street;

Carrollton Avenue, on the west side, from Sixty-second Street to Broad Ripple Avenue (Sixty-third Street);

Chesapeake Street, on the south side, from Pennsylvania Street to Meridian Street;

College Avenue, on both sides, from Sixty-second Street to Broad Ripple Avenue (Sixty-third Street);

Court Street, on the south side, from Talbot Street to Pennsylvania Street;

Delaware Street, on the east side, from Georgia Street to Maryland Street;

Delaware Street, on the east side, from Ohio Street to St. Clair Street;

Delaware Street, on the west side, from Georgia Street to Michigan Street;

Delaware Street, on the west side, from North Street to St. Clair Street;

Delaware Street, on the west side, from Wabash Street to Michigan Street;

Fort Wayne Avenue, on the northwest side, from Pennsylvania Street to St. Clair Street;

Frontage Road, on the south side, from a point west of the taxicab stand, from the sheriff's cars zone to the taxicab stand;

General hospital off-street parking lot located between the north side of the hospital and the south side of West Tenth Street;

Georgia Street, on the north side, from Capitol Avenue to Delaware Street;

Georgia Street, on the south side, from a point 90 feet east of Capitol Avenue to Pennsylvania Street;

Guilford Avenue, on both sides, from Broad Ripple Avenue (Sixty-third Street) to Westfield Boulevard;

Guilford Avenue, on the west side, from Sixty-second Street to Broad Ripple Avenue (Sixty-third Street);

Hudson Street, on the east side, from Ohio Street to New York Street;

Illinois Street, on both sides, from Thirty-eighth Street to Thirty-ninth Street;

Illinois Street, on both sides, from New York Street to Tenth Street;

Illinois Street, on the east side, from Jackson Place to New York Street;

Illinois Street, on the east side, from South Street to a point 240 feet south of Jackson Place North Drive;

Illinois Street, on the west side, from Tenth Street to Eleventh Street;

Illinois Street, on the west side, from Louisiana to Maryland Street;

Illinois Street, on the west side, from a point 200 feet south of New York Street to New York Street;

Illinois Street, on the west side, from Washington Street to Ohio Street;

Indiana Avenue, on both sides, from New York Street to North Street;

Jackson Place, on the north side, from Illinois Street to Meridian Street;

Louisiana Street, on the north side, from Alabama Street to New Jersey Street;

Louisiana Street, on the north side, from McCrea Street to Meridian Street;

Market Street, on the north side, from Illinois Street to Monument Circle;

Market Street, on the north side, from Monument Circle to a point 138 feet east of Monument Circle;

Market Street, on the south side, from a point 73 feet east of Illinois Street to Monument Circle;

Market Street, on the south side, from Monument Circle to Pennsylvania Street;

Maryland Street, on both sides, from Capitol Avenue to Delaware Street;

Maryland Street, on the north side, from Missouri Street to Capitol Avenue;

Massachusetts Avenue, on both sides, from Delaware Street to College Avenue;

Massachusetts Avenue, on the north side, from a point 165 feet northeast of Carrollton Avenue to Bellefontaine Street;

Massachusetts Avenue, on the south side, from a point 455 feet northeast of St. Clair Street, to a point 525 feet northeast of St. Clair Street;

Massachusetts Avenue, on the south side, from a point 735 feet northeast of St. Clair Street, to a point 955 feet northeast of St. Clair Street;

McCrea Street, on the west side, from Jackson Place, South Drive, to Louisiana Street;

Meridian Street, on both sides, from Seventeenth Street to Nineteenth Street;

Meridian Street, both sides, from Monument Circle to Ohio Street;

Meridian Street, on the east side, from Thirteenth Street to a point 157 feet south of Sixteenth Street;

Meridian Street, on the east side, from a point 118 feet north of Georgia Street to Washington Street;

Meridian Street, on the east side, from Louisiana Street to Georgia Street;

Meridian Street, on the east side, from Norwood Street to Merrill Street;

Meridian Street, on the east side, from New York Street to a point 109 feet south of St. Joseph Street;

Meridian Street, on the west side, from a point 165 feet north of Ohio Street to a point 200 feet south of St. Joseph Street;

Meridian Street, on the east side, from Washington Street to a point 189 feet north of Washington Street;

Meridian Street, on the west side, from a point 114 feet north of Thirteenth Street to a point 157 feet south of Sixteenth Street;

Meridian Street, on the west side, from a point 145 feet north of Washington Street to Monument Circle;

Michigan Street, on both sides, from Meridian Street to Pennsylvania Street;

Michigan Street, on the north side, from East Street to New Jersey Street;

New Jersey Street, on both sides, from New York Street to Vermont Street;

New Jersey Street, on both sides, from Pearl Street to Washington Street;

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New Jersey Street, on both sides, from Washington Street to New York Street;

New Jersey Street, on both sides, from Vermont Street to St. Clair Street;

New Jersey Street, on the east side, from South Street to Louisiana Street;

New Jersey Street, on the west side, from South Street to Louisiana Street;

New York Street, on the north side, from Delaware Street to Alabama Street;

New York Street, on the north side, from Pierson Street to Pennsylvania Street;

New York Street, on the south side, from a point 47 feet east of Illinois Street to a point 149 feet east of Illinois Street;

New York Street, on the south side, from Pennsylvania Street to East Street;

New York Street, on the south side, from Senate Avenue to Capitol Avenue;

North Street, on the north side, from Alabama Street to East Street;

North Street, on the north side, from Meridian Street to a point 100 feet east of Senate Avenue;

North Street, on the north side, from Pennsylvania Street to a point 125 feet east of Meridian Street;

North Street, on the south side, from Alabama Street to New Jersey Street;

North Street, on the south side, from Senate Avenue to a point 150 feet west of Pennsylvania Street;

Ohio Street, on both sides, from Delaware Street to East Street;

Ohio Street, on the north side, from a point 95 feet east of West Street to Capitol Avenue;

Ohio Street, on the south side, from Meridian Street to Delaware Street;

Ohio Street, on the south side, from Capitol Avenue to a point 85 feet west of Capitol Avenue;

Ohio Street, on the south side, from Capitol Avenue to Illinois Street;

Ohio Street, on the south side, from West Street to a point 85 feet west of Capitol Avenue;

Pearl Street, on the north side, from Pennsylvania Street to Meridian Street;

Pearl Street, on the north side, from Senate Avenue to Missouri Street;

Pennsylvania Street, on the east side, from a point 145 feet south of New York Street to Michigan Street;

Pennsylvania Street, on the east side, from North Street to Tenth Street;

Pennsylvania Street, on the west side, from South Street to Ohio Street;

Pennsylvania Street, on the west side, from New York Street to Eleventh Street;

Pennsylvania Street, on the east side, from Ohio Street to South Street;

Pennsylvania Street, on the east side, from St. Clair Street to a point 395 feet south of Eleventh Street;

Pennsylvania Street, on the west side, from St. Clair Street to Eleventh Street;

St. Clair Street, on the south side, from Illinois Street to Pierson Street;

St. Clair Street, on the south side, from Meridian Street to Fort Wayne Avenue, except the portion thereof from the northwest curbline of Fort Wayne Avenue to a point 122 feet west of said curbline;

East St. Clair Street, on the north side, from Meridian Street to Pennsylvania Street;

St. Joseph Street, on the south side, from Illinois Street to Meridian Street;

St. Joseph Street, on the south side, from Meridian Street to Pennsylvania Street;

Senate Avenue, on both sides, from Fourteenth Street to Sixteenth Street;

Senate Avenue, on both sides, from Michigan Street to Walnut Street;

Senate Avenue, on both sides, from South Street to south property line of Convention Center;

Senate Avenue, on the east side, from Washington Street to Michigan Street, except that point from 248 feet south of Ohio Street to a point 382 feet south of Ohio Street;

Senate Avenue, on the west side, from New York Street to Michigan Street;

Senate Avenue, on the west side, from Washington Street to Miami Street, except that point from 260 feet south of Ohio Street to a point 340 feet south of Ohio Street;

South Street, on both sides, from Illinois Street to Pennsylvania Street;

Vermont Street, on both sides, from Senate Avenue to Alabama Street;

Vermont Street, on the north side, from Alabama Street to Cleveland Street;

Vermont Street, on the south side, from New Jersey Street to East Street;

Vermont Street, on the south side, from New Jersey Street to a point 168 feet west of New Jersey Street;

Virginia Avenue, on the north side, from Louisiana Street to South Street;

Virginia Avenue, on the south side, from Conrail Railroad to Louisiana Street;

Wabash Street, on the south side, from Alabama Street to New Jersey Street;

Wabash Street, on the south side, from Pennsylvania Street to Delaware Street;

Walnut Street, on both sides, from Delaware Street to Hudson Street;

East Walnut Street, on the north side, from Delaware Street to Talbot Street;

East Walnut Street, on the south side, from Delaware Street to Pennsylvania Street;

West Walnut Street, on both sides, from Meridian Street to Capitol Avenue;

Washington Street, on the north side, from Capitol Avenue to a point 536 feet east of West Street;

Washington Street, on the north side, from Delaware Street to Pennsylvania Street;

Washington Street, on the north side, from Illinois Street to a point 137 feet west of Illinois Street;

Washington Street, on the north side, from a point two hundred sixty-eight (268) feet east of Illinois Street to Pennsylvania Street;

Washington Street, on the north side, from a point 180 feet east of West Street to a point 389 feet east of West Street;

Washington Street, on the south side, from Alabama Street to a point 173 feet west of Capitol Avenue;

Washington Street, on the north side, from East Street to Alabama Street;

Washington Street, on the south side, from a point 224 feet east of Delaware Street to a point 173 feet west of Capitol Avenue;

Washington Street, on the south side, from a point 530 feet west of Capitol Avenue to a point 602 feet west of Capitol Avenue;

Washington Street, on the south side, from a point 1,092 feet west of Capitol Avenue to a point 73 feet east of West Street;

Washington Street, on the south side, from East Street to a point 226 feet east of New Jersey Street;

Westfield Boulevard, on both sides, from Guilford Avenue to Winthrop Avenue;

Westfield Boulevard, on the north side, from Guilford Avenue to a point 487 feet west of Guilford Avenue;

Winthrop Avenue, on the west side, from Broad Ripple Avenue (Sixty-third Street) to Westfield Boulevard.

Sec. 621-203. Parking time limits in parking meter spaces.

The maximum time during which any vehicle may remain continuously parked in any one (1) parking space established pursuant to this article shall be the respective limits of time set out and authorized in this article for the parking meter zone in which the parking space is situated.

Sec. 621-204. All-day off-street parking meter zones.

Notwithstanding other provisions of this article pertaining to charges for parking in parking meter zones and limitations as to parking periods therein, there are hereby created and established all-day parking meter zones.

Parking meter zones shall be in effect for twenty-four (24) hours per day, seven (7) days per week, in the following locations:

Sec. 621-205. Central parking district.

There exists in the city an area known as the central parking district, in which area parking meters are now installed. The boundaries of the central parking district are as follows:

On the north, the north property line of Eleventh Street; on the east, the east property line of East Street; on the west, the west property line of West Street; and on the south, the south property line of Morris Street; including both sides of all streets in the foregoing area and with the exception that such area shall extend north above Eleventh Street to include both sides of Pennsylvania Street and Senate Avenue to Sixteenth Street, and both sides of Capitol Avenue, Illinois Street, and Meridian Street to Twenty-first Street.

Sec. 621-206. Establishment or modification of parking meter spaces or zones.

The board of public works may make at any time a survey of traffic conditions throughout the city or at any places therein to determine where additional parking meters should be installed or maintained and parking meter zones established, where any changes should be made in any parking meter zones and what time periods should be prescribed for each zone. Any new parking meter zones or changes in any parking meter zone, ~~and any acquisition of additional parking meters excluding the replacement or addition of parking meters in any existing parking meter zones,~~ shall be approved by ordinances before further action thereupon.

Sec. 621-207. Location of parking meters.

(a) The actual location of parking meters at or near the front end of the parking meter zones designated in this article and served thereby, or at any parking meter zones hereafter established, shall be determined by the board of public works, with the assistance of the director of public works, with due allowance for clearance of alley and street intersections; fire hydrants; loading, taxicab and bus zones; other prohibitions or restrictions upon parking at various places within the parking meter zones; and the sizes of vehicles.

(b) Parking meters shall not be located or maintained, nor shall any parking meter spaces be established, in front of any premises which is used wholly for private or multiple dwellings, except with the consent or approval, or upon the request, of the person owning or controlling such premises, filed in writing with the board of public works. Any existing parking meters improperly located in front of residential premises shall be removed upon filing of a written request therefor.

(c) No parking meter or parking meter zone shall be established, maintained or used in any of the places at which parking, pursuant to this article, is prohibited at all times or prohibited at specific times or on specified days.

(d) The provisions of subsection (b) restricting the establishment of parking meter spaces and the installation and maintenance of parking meters upon the parts of any street or public place in front of or adjoining any premises used for private or multiple dwellings, without the consent, approval or request of those persons owning or controlling the premises, is intended to constitute a present and continuing specific limitation, exception and condition in such respect, and to be and remain so applicable in all instances and locations where any parking spaces and parking meters therefor are either now established and in use or may be hereafter located and used in the city; and, unless such subsection shall hereafter be either expressly repealed or expressly excepted in and by any later ordinance from application in such matters with respect to any or all parts of any streets or public places named therein for such uses, and which ordinance merely specifies in general terms that parking meters shall be installed and parking spaces located upon certain named streets or public places between certain other streets or points thereon, without any mention or reference therein to the application or exclusion of the provisions in subsection (b), then and in all such instances, the provisions of subsection (b) shall continue to apply thereto and shall be read into and shall control and limit all such later general ordinances, so as to avoid any possible construction thereof of an intention to effect an implied repeal of the provisions of said subsection by failure to refer to and either to include or to exclude the specific provisions of said subsection in any such later ordinance. This is declared to be the continuing policy and intention of the city-county council, subject only to its right at any time expressly to change, amend or repeal subsection (b) by any future ordinance, or to except, limit or exclude its application in any or all instances so desired, by express reference in any later ordinance to such subsection or to any amendment thereof which continues the provisions thereof in effect.

Sec. 621-208. Placement of meters.

Parking meters shall be installed upon or inside the curb, or outside of the roadway, ~~adjoining or adjacent to the individual parking spaces or spaces to be so designated.~~

Sec. 621-209. Mechanical features of meters.

(a) A parking meter installed pursuant to this article shall ~~show or display a signal or other device thereon plainly indicating~~ provide for the indication of a vacancy or violation on the meter or otherwise when the time limited and paid for the use of the parking space has expired and the space is or should be vacant by reason of the expiration of the time last paid for by any person.

(b) Each parking meter shall be so marked, constructed, adjusted and operated as to ~~indicate clearly thereon~~ provide for clear indication the maximum period of time permitted for legal parking within the ~~adjacent metered~~ parking space, ~~and shall not operate continuously longer than the maximum time, or the lesser time paid for.~~ Upon the deposit in the meter of ~~one (1) or more twenty five cent coins, one (1) or more ten cent coins, or one (1) or more five cent coins of the United States of payment,~~ a vehicle may remain parked in such space according to the particular period of time so desired for parking, within the maximum limit as indicated by the meter ~~which appears on the face of the meter,~~ or as may be hereafter prescribed and so indicated thereon by any ordinance of the city.

(c) Each parking meter shall clearly indicate at the time of the depositing of ~~any coin payment~~ the specified limit in minutes of the parking time period thereby allowed and shall visibly register such allotted time on its dial on the meter or otherwise. ~~The indicator or hand on such dial shall continue in visible operation until the expiration of the time so paid for, as fixed by this article or by any ordinance relating to such particular parking space, whereupon the meter shall clearly indicate by a visible signal, as shown by the mechanical operation of its dial or otherwise, that the lawful parking period so allotted and paid for has expired.~~

Sec. 621-210. When use of parking meter spaces prohibited.

Whenever, by any provisions of this chapter, the parking or stopping of any vehicle is prohibited between certain hours or during certain specified periods of time of any or all days, upon certain designated streets or portions thereof in the city, or is prohibited temporarily at any particular time in an emergency or under any circumstances referred to elsewhere in this chapter, no driver or operator of any vehicle shall park or stop such vehicle, or permit it to be parked or to stand and remain at any such times in any space allotted for parking meter use on any such street or portions thereof, where parking meters have been installed and are in operation, notwithstanding anything to the contrary contained in this article. Where signs are posted in any block of any street or in any public place, or officers give verbal orders, giving notice of any such prohibited times or hours for any parking thereon or of other restrictions, all persons

shall take notice thereof and shall not use any such parking meters or remain in any such parking meter space, during or at any such place or times when prohibited. In addition thereto, the board of public works may, in its discretion, give further such notices at any time by so indicating on plates or signs attached to or near each parking meter.

Sec. 621-211. Manner of parking in parking meter spaces.

- (a) Parallel-to-curb parking shall be used in all parking meter spaces, unless angle parking as defined by section 621-108 is specified, and vehicles shall not be parked otherwise therein, except as provided otherwise by this section or specifically permitted by this chapter or any other ordinance.
- ~~(b) Where parallel-to-curb parking is required, there shall be provided a minimum of twenty two (22) feet in a direction parallel to the adjacent curb for each interior parking space, and eighteen (18) feet in such direction for each end parking space.~~
- ~~(eb) Where parallel-to-curb parking is required, in a parking meter zone using one meter per post, a vehicle shall be parked such that no part of the vehicle extends beyond a line perpendicular to the curb and even with any parking meter. In instances of an end parking space, where there is no such meter post, no part of the vehicle shall extend beyond a line perpendicular to the curb and even with an area not designated as a parking meter space.~~
- ~~(ec) Where parallel-to-curb parking is required, in a parking meter zone using two meters per post, a vehicle shall be parked such that no part of the vehicle extends beyond a line perpendicular to the curb and even with any parking meter. Furthermore, such vehicle shall be parked such that no part of the vehicle extends beyond a line perpendicular to the curb at the point half the distance to the next meter post. In instances of an end parking space, where there is no such meter post, no part of the vehicle shall extend beyond a line perpendicular to the curb and even with an area not designated as a parking meter space.~~
- ~~(ed) Where parallel-to-curb parking is required, in that area of a parking meter zone where there are no posts, a vehicle shall be parked 1) such that no part of the vehicle extends beyond a line perpendicular to clear markings on the curb or as otherwise indicated or 2) absent markings, wherever such vehicle may legally fit within said metered area.~~
- (e) A vehicle parked in any other manner is in violation of this section.

Sec. 621-212. Duty of driver upon entering parking meter space.

When any vehicle is parked in any parking space ~~adjacent to a parking meter~~ at or during any of the times provided in this article, when the time limits for parking in the respective parking meter zones are in effect, the driver or operator of the vehicle, or someone for him, upon entering such parking space, shall immediately deposit in the parking meter ~~one (1) or more coins of the United States~~ payment for the period desired for parking, but not to exceed the time limit at such place, and shall do such other things as the directions for the operation of the parking meter may require. The parking space may then be used by such vehicle for the period of time paid for, but not exceeding the maximum limit of time designated therefor on the face of the meter, or otherwise, and the using of such parking space by that vehicle or any other vehicle, after the expiration of the time limit without again depositing the required ~~coin~~ payment therein shall be a violation of this article.

Sec. 621-213. When time limits and charges shall be in effect.

The time limits for parking in the respective parking meter zones established in this article, and the rates or charges for parking within any of such zones, shall control and be in effect whenever meters are installed at such places and placed in a condition to operate, between the hours of 7:00 a.m. and 6:00 p.m., Eastern Standard Time, daily, with the following exceptions:

- (1) Except on Saturdays and Sundays and on the following legal state and national holidays:
 - a. New Year's Day;
 - b. Dr. Martin Luther King Day;
 - c. Presidents Day;
 - d. Memorial Day;
 - e. Independence Day;

- f. Labor Day;
- g. Thanksgiving Day;
- h. Christmas Day.

- (2) When daylight saving time is in use in the city, at which time daylight saving time shall prevail.
- (3) At times or places when or where parking is prohibited by any provision of this chapter or any other ordinance of the city, or is temporarily prohibited by orders of the police or fire departments.
- (4) Or in places where residential uses exist and the parking is not prohibited in the a.m. peak hour then the parking meters will operate 8:00 a.m. to 6:00 p.m. in the following locations:

Fifteenth Street, on the south side, from Capitol Avenue to Illinois Street;
Alabama Street, on the east side, from Walnut Street to St. Clair Street;
Delaware Street, on the west side, from Vermont Street to Michigan Street;
Illinois Street, on the east side, from Vermont Street to Michigan Street;
Vermont Street, on the north side, from Delaware Street to Pennsylvania Street;
Vermont Street, on the north side, from Meridian Street to Illinois Street;
Vermont Street, on the south side, from New Jersey Street to East Street.

- (5) Or in places where residential uses exist and the parking is not prohibited in the a.m. peak hour, then the parking meters will operate 9:00 a.m. to 5:00 p.m. in the following locations:

Alabama Street, on the east side, from Michigan Street to New York Street;
Indiana Avenue, on both sides, from New York Street to North Street, except Saturdays, Sundays, and holidays;
Massachusetts Avenue, on both sides, from College Avenue to Delaware Street;
Meridian Street, on the west side, from Vermont Street to a point 123 feet north of Vermont Street;
New Jersey Street, on both sides, from Michigan Street to Vermont Street;
North Street, on the north side, from East Street to New Jersey Street;
Vermont Street, on the north side, from Alabama Street to East Street.

Sec. 621-214. Charges for parking.

The general rule in all areas to which this article shall be applicable, subject only to such specific exceptions as are set out elsewhere in this Code, shall be that the charge for parking in any parking meter zone or space where a parking meter has been installed and is in operation shall be at the rate of seventy-five cents (\$0.75) per hour for the maximum period of time applicable to each meter location.

Sec. 621-215. Depositing slugs or spurious coins payment in meters.

It shall be unlawful for any person to deposit or cause to be deposited in any parking meter any slug, device or substitute for payment ~~a genuine twenty-five-cent coin, ten-cent coin, or five-cent coin of the United States.~~ A violation of this section shall be punished as prescribed in section 103-3.

Sec. 621-216. Overtime parking.

If any vehicle shall remain parked or standing within any parking space for a continuous period beyond the maximum parking time limit fixed and allowed by this article for such parking space, or beyond any lesser period paid for initially, ~~and the parking meter shall display a sign indicating a "vacancy," "expired" or "illegal" parking or any similar warning;~~ or if any vehicle continues in the same parking space longer than the maximum limit prescribed therefor, even if ~~another coin~~ additional payment is deposited by or for him; in either event, the vehicle shall be considered as being parked overtime and beyond the time fixed by this article for the parking space. The parking by any person of any vehicle beyond the specified maximum period of time lawfully paid for or as limited and fixed by this article in any parking space controlled by a parking meter shall be a violation of this article.

Sec. 621-217. Defacing or injuring parking meters.

It shall be unlawful for any person, not authorized by the city, to deface, injure, tamper with, open or willfully break, destroy or impair the usefulness of any parking meter installed under the provisions of this article.

Sec. 621-218. Responsibility for enforcement of this article.

The duties of and the responsibility for the enforcement of the provisions of this article involving offenses pertaining to parking of vehicles and parking meters and such other duties as may otherwise be prescribed in this article shall be vested in the board of public safety and the metropolitan law enforcement agency.

Sec. 621-219. Responsibility for acquisition, installation, operation, maintenance, etc., of parking meters; collection of moneys; report.

(a) The responsibility for the acquisition, installation, operation, maintenance, upkeep and repair of parking meters and equipment, including the collecting of coin cylinders, boxes or other such devices from the parking meters, and the delivery thereof to the city controller, or to his duly authorized agent, and any other duties prescribed in this article shall be vested in the board of public works. ~~All contracts, however, for the purchase or rental of parking meters must be approved by ordinance.~~

(b) The board of public works shall take all reasonable precautions for the safe handling of the moneys collected and transported under its direction and control pursuant to subsection (a), including, if deemed necessary or desirable by the board, the adequate bonding of such personnel as are engaged in the collection or handling of such moneys. For the collection and transporting of such moneys, the board of public works is authorized, if it deems it to be in the best interest of the public, to contract for the services of any reliable bonded express or messenger agency of established reputation to collect the coin cylinders, boxes or other devices from the parking meters, open them and count the coins contained therein and deliver all such moneys to the city controller for deposit by him in the parking meter fund; or to perform any parts of such services.

(c) A report of the number of such coin containers for all moneys collected pursuant to this section shall be filed with the city controller at the end of each calendar month, or within ten (10) days thereafter, and all collected moneys shall be delivered for verification to the city controller, who shall perform all other duties in such matters as authorized by law. Upon receipt of such reports and parking meter coin cylinders, boxes or other devices collected pursuant to subsection (a), the city controller, or his duly authorized agent, shall count the funds and deposit the moneys with the city treasurer to be credited to the parking meter fund, as provided under the terms of this article, which fund shall be expended only for the purposes and in the manner and method authorized in this article.

Sec. 621-220. Parking meter removal for permanent commercial improvement purposes.

Whenever it is desired to make permanent commercial improvements which would necessitate the removal of parking meters, they shall be removed by the parking meter administrator after the following conditions have been met:

- (1) The plans and specifications for the improvement shall be submitted to the director of public works, who shall determine the necessity of removing meters and the number of meters required to be removed. Upon certifying the number of meters to be removed by the parking meter administrator, the administrator shall order such removal upon the prepayment of a fee of ten dollars (\$10.00) for each meter to be removed. The moneys so paid shall be credited to the parking meter fund.
- (2) Upon the failure of any person, petitioning to make improvements under this section, to commence such improvements within sixty (60) days from the date of authorization by the director of public works and if no extension of time has been obtained from the director, the parking meters previously removed shall be forthwith replaced and the fee paid therefor forfeited.
- (3) No fee for parking meter removal shall be required when:
 - a. A loading zone fee of ~~ten dollars (\$10.00) per foot per year~~ has previously been paid; or
 - b. When the removal results from a hearing before the board of public works and its removal is ordered by the board.

Sec. 621-221. Removal of parking meters by order of board of public works.

Whenever and wherever traffic safety and the public welfare would require the removal of no more than two (2) contiguous parking meters, the board of public works may, upon the recommendation

of the parking meter administrator, order such parking meters removed, declare no parking zones and order appropriate signs posted. Any area requiring the removal of more than two (2) contiguous parking meters shall require the further action of the city-county council.

Sec. 621-222. Temporary blockouts of parking meters.

(a) Upon application by any person to the department of public works for the temporary blockout of any number of parking meters in any area, setting out the reasons therefor and the anticipated number of days necessary, the department of public works may issue a permit authorizing the blockout of such parking meters and order them to be blocked out upon prepayment of ~~the current fee, established by regulation of the Board of Public Works pursuant to section 645 323, which is assessed a fee of eight dollars (\$8.00)~~ per meter, per day or fraction thereof, which permit shall specify the dates for which it is effective. Upon the expiration of the time specified in the permit, and if an extension of the permit has not been obtained by prepayment of the required fee, the permit shall be null and void, and the temporary blockout of the meter or meters shall immediately cease.

(b) If requested in writing by a governmental entity or other not-for-profit organization, the board of public works may, by resolution, waive fees referenced in subsection (a).

(c) The fees collected for the issuance of permits pursuant to subsection (a) shall be credited to the parking meter fund.

Sec. 621-223. Meter receipts to be credited to parking meter fund; purpose.

All charges collected from the operation of any parking meter shall be deposited and kept in a special fund, known as the "parking meter fund," to be set up in a budget, approved by the city-county council, and shall be under the control, orders and directions of the board of public works. Disbursements from such fund shall be made only for the following purposes, unless otherwise authorized by any relevant statute or required by any contract:

- (1) For the payment of the purchase price or rental fees, and costs of installation, relocation or removal of parking meters;
- (2) For the payment of the cost of maintenance, operation, repair and all other incidental costs and expenses incurred in the operation of parking meters and the collection of the moneys deposited therein. Included in such incidental costs and expenses shall be the cost of clerical and bookkeeping expenses, supplies and records, and the employment of all other personnel required in the collection of moneys and the handling and keeping of records of all the charges so collected and expended;
- (3) For the payment of the cost of acquiring, installing and maintaining traffic signal devices and signs to guide and regulate traffic in the city; tow-in trucks, snowplows and trucks to keep the parking places clear; and for the cost of the repair, reconstruction and maintenance of any of the public highways or public places where parking meters are in use and all other public highways or public places intersecting or connected therewith in the city;
- (4) For off-street parking facilities and for any other uses that may be prescribed by statute.

Sec. 621-224. Expenditures from parking meter fund.

The board of public works shall have the right and authority to expend the moneys in the parking meter fund for the purposes provided in this section, without any additional appropriation therefor. Upon receipt of a proper voucher of the board of public works, which voucher shall be signed by the president or vice-president and the executive clerk of the board, as is now required by law for other expenditures of city funds by the board of public works, the controller shall deliver to the auditor an order to issue a warrant for such expenditure. Upon receipt of such order from the controller, the auditor shall draw a warrant for such expenditures. All moneys remaining in the treasury to the credit of the parking meter fund at the end of any calendar year shall remain in such fund, available for all its uses, and shall not revert to the general fund of the city; but the city-county council shall have the right to transfer any unneeded balance, or part thereof, at the end of any year to the city general fund, or as otherwise authorized by law.

Sec. 621-225. Notice for violation of this article.

Whenever a member of the metropolitan law enforcement agency, or any other person designated by the board of public safety and charged with the enforcement of this article, shall find that

any provision of this article or Code is being or has been violated by the owner, driver or operator of any vehicle, the officer or other authorized person shall notify in writing the owner, driver or operator of the violation, and further procedure shall be as provided in this chapter.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end, the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Conley reported that the Public Works Committee heard Proposal Nos. 114-127, 2007 on March 15, 2007. He asked for consent to vote on these proposals together. Consent was given.

PROPOSAL NO. 114, 2007. The proposal, sponsored by Councillors Gray and Conley, authorizes a change in the speed limit on 38th Street between Cold Springs Road and Michigan Road (District 8). PROPOSAL NO. 115, 2007. The proposal, sponsored by Councillors Gray and Conley, authorizes multi-way stops at Collingwood Drive and Walden Lane and 56th Street and Walden Lane (District 8). PROPOSAL NO. 116, 2007. The proposal, sponsored by Councillors Schneider and Conley, authorizes a multi-way stop at the intersection of 61st Street and Dearborn Street (District 4). PROPOSAL NO. 117, 2007. The proposal, sponsored by Councillors Keller and Conley, authorizes no parking restrictions on Summit Street between Williams Street and Washington Street (District 16). PROPOSAL NO. 118, 2007. The proposal, sponsored by Councillors Mahern and Conley, authorizes intersection controls at Goodlet Avenue and Southern Avenue (District 19). PROPOSAL NO. 119, 2007. The proposal, sponsored by Councillors Day and Conley, authorizes no parking restrictions on Bethel Avenue near Wagner Lane (District 20). PROPOSAL NO. 120, 2007. The proposal, sponsored by Councillors Cockrum and Conley, authorizes intersection controls for the Camby Village Subdivision, Section 1 (District 22). PROPOSAL NO. 121, 2007. The proposal, sponsored by Councillors Cockrum and Conley, authorizes intersection controls for Wellingshire Boulevard and Tibbs Avenue (District 22). PROPOSAL NO. 122, 2007. The proposal, sponsored by Councillors Cockrum and Conley, authorizes intersection controls for Copperwood at Wellingshire (District 22). PROPOSAL NO. 123, 2007. The proposal, sponsored by Councillors Cockrum and Conley, authorizes intersection controls for the Villas of Lake Lakota at Wellingshire (District 22). PROPOSAL NO. 124, 2007. The proposal, sponsored by Councillors Cockrum and Conley, authorizes a traffic signal for the intersection of Airport Expressway and Bradbury Avenue (District 22). PROPOSAL NO. 125, 2007. The proposal, sponsored by Councillors Speedy and Conley, authorizes a multi-way stop at Cinnamon Place and Tarragon Place (District 24). PROPOSAL NO. 126, 2007. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Foxfire Subdivision, Sections 1 and 2 (District 25). PROPOSAL NO. 127, 2007. The proposal, sponsored by Councillors Plowman and Conley, authorizes intersection controls for the Flat Branch Subdivision (District 25). By 9-0 votes, the Committee reported the proposals to the Council with the recommendation that they do pass. Councillor Conley moved, seconded by Councillor Plowman, for adoption. Proposal Nos. 114-129, 2007 were adopted on the following roll call vote; viz:

28 YEAS: *Abduallah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Franklin, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn*

0 NAYS:

1 ABSENT: *Randolph*

Proposal No. 114, 2007 was retitled GENERAL ORDINANCE NO. 5, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 5, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-323, Alteration of prima facie speed limits.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the deletion of the following, to wit:

45 MPH

Thirty-Eighth Street, from White River Parkway East Drive to Boulevard Place

55 MPH

Thirty-Eighth Street, from I-65 (west junction) to White River Parkway East Drive

SECTION 2. The “Revised Code of the Consolidated City and County,” specifically, Sec. 441-323, Alteration of prima facie speed limits, be and the same is hereby amended by the addition of the following, to wit:

45 MPH

Thirty-Eighth Street, from Cold Spring Road to Boulevard Place

55 MPH

Thirty-Eighth Street, from I-65 (west junction) to Cold Spring Road

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 115, 2007 was retitled GENERAL ORDINANCE NO. 6, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 6, 2007

A GENERAL ORDINANCE amending the “Revised Code of the Consolidated City and County,” Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 26, 2007

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8	Collingwood Dr Walden Ln	Collingwood Dr	Stop
8	56 th St Walden Ln	56 th St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
8	Collingwood Dr Walden Ln	None	All Way Stop
8	56 th St Walden Ln	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 116, 2007 was retitled GENERAL ORDINANCE NO. 7, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 7, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	61 st St Dearborn St	Dearborn St	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
12	61 st St Dearborn St	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 117, 2007 was retitled GENERAL ORDINANCE NO. 8, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 8, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Summit Street, on both sides,
From a point 100 feet south of Washington Street to Washington Street

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 118, 2007 was retitled GENERAL ORDINANCE NO. 9, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 9, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
31	Goodlet Ave Southern Ave	Southern Ave	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 119, 2007 was retitled GENERAL ORDINANCE NO. 10, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 10, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 621-121, Parking prohibited at all times on certain streets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 621-121, Parking prohibited at all times on certain streets, be and the same is hereby amended by the addition of the following, to wit:

Bethel Avenue, on the northwest side,
From a point 100 feet northwest of Wagner Lane to Wagner Lane

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 120, 2007 was retitled GENERAL ORDINANCE NO. 11, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 11, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

March 26, 2007

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
43	Begonia Ct Hosta Way	Hosta Way	Stop
43	Cornus Ct Hosta Dr Hosta Way	Hosta Dr Hosta Way	Stop
43	Crocus Ct Hosta Dr	Hosta Dr	Stop
43	Hosta Dr Mooresville Rd	Mooresville Rd	Stop
43	Hosta Way Yucca Ct	Hosta Way	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 121, 2007 was retitled GENERAL ORDINANCE NO. 12, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 12, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Tibbs Ave Wellingshire Blvd	None	All Way Stop
45	Southport Rd Wellingshire Blvd	Southport Rd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 122, 2007 was retitled GENERAL ORDINANCE NO. 13, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 13, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Copperwood Dr Shadow Lake Dr	Copperwood Dr	Stop
45	Copperwood Dr Stillcrest Ln	Copperwood Dr	Stop
45	Copperwood Dr Tibbs Ave	Tibbs Ave	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 123, 2007 was retitled GENERAL ORDINANCE NO. 14, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 14, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
45	Lake Lakota Dr Wellingshire Blvd	Wellingshire Blvd	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 124, 2007 was retitled GENERAL ORDINANCE NO. 15, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 15, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Airport Expressway Bradbury Ave	Bradbury Ave	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
30	Airport Expressway Bradbury Ave	None	Signal

March 26, 2007

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 125, 2007 was retitled GENERAL ORDINANCE NO. 16, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 16, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the deletion of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Cinnamon Pl Tarragon Pl	Tarragon Pl	Stop

SECTION 2. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
24	Cinnamon Pl Tarragon Pl	None	All Way Stop

SECTION 3. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 126, 2007 was retitled GENERAL ORDINANCE NO. 17, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 17, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
33	Angelina Dr Angelina Way Moonseed Cir	Angelina Dr Angelina Way	Stop
33	Angelina Dr Pennyworth Cir	Angelina Dr	Stop
33	Angelina Dr Stoneroot Pl	Angelina Dr	Stop
33	Angelina Way Foxbriar Pl	None	All Way Stop
33	Arlington Ave Stoneroot Pl	Arlington Ave	Stop

33	Foxbriar Cir Foxbriar Pl	Foxbriar Pl	Stop
33	Foxbriar Pl Mustard Dr	Foxbriar Pl	Stop
33	Foxbriar Pl Platinum Pl	Foxbriar Pl	Stop
33	Foxbriar Pl Troy Ave	Troy Ave	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

Proposal No. 127, 2007 was retitled GENERAL ORDINANCE NO. 18, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 18, 2007

A GENERAL ORDINANCE amending the "Revised Code of the Consolidated City and County," Sec. 441-416, Schedule of intersection controls.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The "Revised Code of the Consolidated City and County," specifically, Sec. 441-416, Schedule of intersection controls, be and the same is hereby amended by the addition of the following, to wit:

<u>BASE MAP</u>	<u>INTERSECTION</u>	<u>PREFERENTIAL</u>	<u>TYPE OF CONTROL</u>
48	Elm Branch Ct Long Branch Dr	Long Branch Dr	Yield
48	Flat Branch Ct Flat Branch Dr Long Branch Dr	Flat Branch Ct Long Branch Dr	Yield
48	Flat Branch Dr (EB) Flat Branch Dr Holmard Pl	Flat Branch Dr Holmard Pl	Stop

SECTION 2. This ordinance shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

PROPOSAL NO. 133, 2007. Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal No. 133, 2007. The proposal, sponsored by Councillors Sanders, Conley, Brown and Gray, amends the Code to permit the county assessor to serve on the information technology board and who may serve by annually appointed proxy. By a 4-3 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Salisbury stated that there is a big difference between township assessors and the county assessor, and it is important for the township assessors to be represented on this board because of all their software issues. He said appointing the County Assessor to this board will not help the township assessors.

Councillor Nytes said that it seems the role of the Information Technology (IT) Board is being minimized. The IT Board is responsible for the entire enterprise of City and County government, and an elected office needs input and can represent the assessors on a more County-wide basis.

Councillor Cain asked why another person cannot be added to the board so that the County Assessor is represented as well as a representative from the Township Assessors. Councillor Boyd said that this option has not been discussed by the Committee.

Councillor Schneider said that this seems to be a good compromise. He moved, seconded by Councillor Salisbury, to return Proposal No. 133, 2007 to committee to explore the option of adding another member to the board.

Councillor Sanders encouraged Councillors to vote against the motion. She said that the County Assessor does not meet in a vacuum and meets with the township assessors and knows their needs.

Councillor McWhirter stated that the township assessors had a meeting and seven of the nine assessors voted to keep a representative on the board, and she does not believe the County Assessor can represent them as well as their own representative.

Councillor Pfisterer stated that she she supports the motion, as the township assessors are extremely displeased at not having their own representative on this board to address their many technology issues.

Councillor Sanders said that the association to which Councillor McWhirter refers was created by the nine township assessors and is not a bona fide organization.

The motion to return Proposal No. 133, 2007 to committee failed on the following roll call vote; viz:

14 YEAS: Borst, Cain, Cockrum, Day, Franklin, Keller, Langsford, McWhirter, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Vaughn
14 NAYS: Abdullah, Bateman, Boyd, Brown, Conley, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders
1 ABSENT: Randolph

Councillor Borst said that the township assessors do tons of work, and Proposal No. 175, 2007 being introduced this evening supports a new County-wide system. He said that to exclude a representative from those who are the heaviest users of such a system is a mistake. He said that he has no problem with the County Assessor being on the board, but feels the townships need representation also.

Councillor Boyd moved, seconded by Councillor Sanders, for adoption. Proposal No. 133, 2007 was adopted on the following roll call vote; viz:

15 YEAS: Abdullah, Bateman, Boyd, Brown, Conley, Franklin, Gibson, Gray, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders
13 NAYS: Borst, Cain, Cockrum, Day, Keller, Langsford, McWhirter, Pfisterer, Plowman, Salisbury, Schneider, Speedy, Vaughn
1 ABSENT: Randolph

Proposal No. 133, 2007 was retitled GENERAL ORDINANCE NO. 19, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 19, 2007

A PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to permit the county assessor to serve on the information technology board who may serve by annual proxy.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 281-211 of the "Revised Code of the Consolidated City and County," regarding membership of the information technology board, hereby is amended by the deletion of the language which is stricken-through, and by the addition of the language which is underscored, to read as follows:

Sec. 281-211. Board created; members; compensation.

(a) To ensure enterprise-wide connectivity, compatibility and integration of information technology and the cost effective provision of quality information systems and services, including telecommunications, there is hereby created the county information technology board, which shall consist of the following persons, who shall be appointed for the following terms:

- (1) Two (2) city officers appointed by the mayor of the city to serve at the pleasure of the mayor. One (1) such person shall be a representative for public safety agencies, and the other shall be a representative for public service agencies;
- (2) Three (3) of four (4) county constitutional officeholders, limited to the auditor, the clerk, the sheriff and the treasurer of the county, to be appointed by and serve at the pleasure of the council;
- (3) One (1) representative appointed by the presiding judges of the county superior court, representing the judicial branch of local government;
- (4) Two (2) persons, with senior management experience which includes holding or having held line authority over the manager of the data processing area of an organization located in Marion County, that utilizes a large data processing installation comparable to the city-county installation, and that is not in the business of selling data processing equipment or services. One (1) such person shall be appointed by the council and the other by the mayor. The terms of such appointments shall be staggered by the initial appointment of the mayor's appointment to a three-year term and the council's appointment to a two-year term; thereafter each to serve for two-year terms but at the pleasure of the respective appointing authority; and
- (5) ~~The Marion County Assessor who may appoint annually a proxy. One (1) township assessor appointed by the majority vote of the nine (9) township assessors of Marion County.~~

(b) The three constitutional officeholders and the assessor appointed by the council pursuant to the authority in (a)(2) above may serve by proxy. The officeholder shall appoint the proxy in writing annually. All other board members shall serve in person and not by proxy. Board Members shall serve without compensation, except that personal expenses incurred through service to the board, travel, lodging and fees may be reimbursed to the board member upon authorization of the board.

SECTION 2. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 3. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 4. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Boyd reported that the Rules and Public Policy Committee heard Proposal Nos. 134 and 135, 2007 on March 6, 2007. He asked for consent to vote on these proposals together. Councillor Abdullah asked that they be voted on separately. Councillor Boyd said that he will

report on the proposals together, as the subject matter is cohesive, but they can then be voted on separately.

PROPOSAL NO. 134, 2007. The proposal, sponsored by Councillors Gray, Bateman, Borst, Boyd, Brown, Conley, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor, Sanders and Pfisterer, amends the Code to regulate the sale and resale of SuperBowl tickets. By a 6-1 vote, the Committee reported the proposal to the Council with the recommendation that it do pass. PROPOSAL NO. 135, 2007. The proposal, sponsored by Councillors Gray, Bateman, Borst, Brown, Conley, Boyd, Franklin, Gibson, Keller, Langsford, Mahern, Mansfield, Moriarty Adams, Nytes, Oliver, Pryor and Sanders, agrees to support and provide resources necessary for the City of Indianapolis to host the SuperBowl. By a 7-0 vote, the Committee reported the proposal to the Council with the recommendation that it do pass.

Councillor Borst stated that this process has been a great partnership between public and private entities and he believes the City has a good shot at hosting the SuperBowl. He said that such an event would be great for this City, and he urged his fellow Councillors to support the proposals.

Councillor McWhirter asked if the commitment in Proposal No. 135, 2007 includes any tax dollars as the necessary resources. Councillor Borst stated that they are not committing any tax dollars with this proposal, other than just law enforcement time, which would be similar to other large sporting events the City hosts, such as the Indianapolis 500.

Councillor Plowman said that he will support these proposals, but he has issues with the idea of scalping, and feels it should not be restricted for some events or entities unless it is restricted for all. He said the City should either make all scalping legal or illegal, but should not pick and choose events or entities.

Councillor Cockrum said that this proposal is limited to Marion County and cannot prevent some scalping which may occur in surrounding counties, but it will at least get it off the street surrounding the event. Councillor Boyd said that it is a National Football League requirement that the city hosting the SuperBowl have such a restriction in place.

Councillor Boyd moved, seconded by Councillor Borst, for adoption of Proposal No. 134, 2007. Proposal No. 134, 2007 was adopted on the following roll call vote; viz:

24 YEAS: Bateman, Borst, Boyd, Brown, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Speedy, Vaughn
3 NAYS: Abduallah, Cain, Schneider
1 NOT VOTING: Franklin
1 ABSENT: Randolph

Proposal No. 134, 2007 was retitled GENERAL ORDINANCE NO. 20, 2007, and reads as follows:

CITY-COUNTY GENERAL ORDINANCE NO. 20, 2007

PROPOSAL FOR A GENERAL ORDINANCE to amend the Revised Code to regulate the sale and resale of Super Bowl tickets.

BE IT ORDAINED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. Section 407-107 of the "Revised Code of the Consolidated City and County," hereby is amended by the addition of the language that is underscored, to read as follows:

Section 407-107. Findings.

The city-county council finds that:

- (1) The taxpayers of the City of Indianapolis have constructed and maintained facilities for the exhibition of sporting events;
- (2) In the event that the demand for seating at any particular exhibition in such facilities exceeds the available supply, the resulting premium price that can be demanded for resale for tickets encourages persons to purchase such tickets solely for the purpose of resale and not with the intent to use the facilities;
- (3) It is anticipated that demand for seating at any National Collegiate Athletic Association (the "NCAA") championship contest or the annual National Football League ("NFL") championship contest (together, the "Championship Contests") will greatly exceed the available supply for such championship contest and therefore increase the resulting premium price that can be demanded for resale of such championship contest tickets solely for the purpose of resale and not with the intent to use the facilities;
- (4) Purchasing such tickets with the intent of resale at a premium price is discouraged by the NCAA and the NFL and host cities are requested to assist the NCAA and the NFL in controlling such activity;
- (5) The only effective means to discourage the purchasing of such tickets with the intent of resale is to prohibit the resale of such tickets at premium prices;
- (6) The resale of such tickets at a premium price should be prohibited.

SECTION 2. Section 407-108 of the "Revised Code of the Consolidated City and County," hereby is amended by the addition of the language that is underscored, to read as follows:

Section 407-108. Sale of tickets of any National Collegiate Athletic Association championship contest or the annual National Football League championship contest.

- (a) Tickets to National Collegiate Athletic Association championship contests or the annual National Football League championship contest, to be held at a publicly owned facility, shall have printed thereon the retail price thereof.
- (b) It shall be unlawful for any person to sell or offer for sale any such championship contest ticket at a price greater than the retail price printed thereon, exclusive of reasonable fees or service charges for sale of such tickets not to exceed ten dollars (\$10.00) per ticket at regular ticket outlets.

SECTION 3. Section 407-109 of the "Revised Code of the Consolidated City and County," hereby is amended by the addition of the language that is underscored, to read as follows:

Section 407-109. Resale of tickets to any National Collegiate Athletic Association championship contest or the annual National Football League championship contest at a publicly owned facility.

It shall be unlawful for any person to resell or offer to resell for profit any ticket to a National Collegiate Athletic Association championship contest or the annual National Football League championship contest, held at a publicly owned facility. "Profit" shall not include a maximum fee or service charge of ten dollars (\$10.00) per ticket.

SECTION 4. The expressed or implied repeal or amendment by this ordinance of any other ordinance or part of any other ordinance does not affect any rights or liabilities accrued, penalties incurred, or proceedings begun prior to the effective date of this ordinance. Those rights, liabilities, and proceedings are continued, and penalties shall be imposed and enforced under the repealed or amended ordinance as if this ordinance had not been adopted.

SECTION 5. Should any provision (section, paragraph, sentence, clause, or any other portion) of this ordinance be declared by a court of competent jurisdiction to be invalid for any reason, the remaining provision or provisions shall not be affected, if and only if such remaining provisions can, without the invalid

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provision or provisions, be given the effect intended by the Council in adopting this ordinance. To this end the provisions of this ordinance are severable.

SECTION 6. This ordinance shall be in effect from and after its passage by the Council and compliance with Ind. Code § 36-3-4-14.

Councillor Boyd moved, seconded by Councillor Gibson, for adoption of Proposal No. 135, 2007. Proposal No. 135, 2007 was adopted on the following roll call vote; viz:

27 YEAS: Abdullah, Bateman, Borst, Boyd, Brown, Cain, Cockrum, Conley, Day, Gibson, Gray, Keller, Langsford, Mahern, Mansfield, McWhirter, Moriarty Adams, Nytes, Oliver, Pfisterer, Plowman, Pryor, Salisbury, Sanders, Schneider, Speedy, Vaughn

0 NAYS:

1 NOT VOTING: Franklin

1 ABSENT: Randolph

Proposal No. 135, 2007 was retitled GENERAL RESOLUTION NO. 3, 2007, and reads as follows:

CITY-COUNTY GENERAL RESOLUTION NO. 3, 2007

PROPOSAL FOR A GENERAL RESOLUTION agreeing to support and provide resources necessary for the City of Indianapolis to host the Super Bowl.

WHEREAS, the National Football League (the "League") owns, produces and controls the annual professional football championship game known as the "Super Bowl", one of the most prestigious national annual sporting events held in this country; NFL Properties LLC ("NFLP" or together with the League and other League affiliates, the "NFL") owns, produces and controls the "NFL Experience," and owns, produces and controls certain other events associated with the Super Bowl ("Official Events"); and

WHEREAS, the Consolidated City of Indianapolis-Marion County ("City of Indianapolis") is desirous of hosting Super Bowl XLV and has within its jurisdiction facilities and their premises, access roads, thoroughfares and other areas which may be used for the purposes of organizing, financing, promoting, accommodating, staging and conducting Super Bowl XLV and its related Official Events;

WHEREAS, hosting the Super Bowl and related Official Events will generate goodwill, enhance the worldwide renown and prestige of the City of Indianapolis, create jobs and produce substantial beneficial economic and fiscal activity in Indianapolis and the State of Indiana; and

WHEREAS, the NFL has requested a declaration of support from the City of Indianapolis and certain guarantees concerning the performance of reasonably necessary governmental services in connection with the Super Bowl and related Official Events as part of the formal bid made by the City of Indianapolis to be designated as a site for Super Bowl XLV; now therefore:

BE IT RESOLVED BY THE CITY-COUNTY COUNCIL OF THE
CITY OF INDIANAPOLIS AND OF MARION COUNTY, INDIANA:

SECTION 1. The City of Indianapolis welcomes Super Bowl XLV and related Official Events to its jurisdiction and to that end declares its full support of the efforts of Indianapolis 2011, Inc. to have Indianapolis selected as the site for Super Bowl XLV.

SECTION 2. Upon designation of Indianapolis as a site for Super Bowl XLV, and at all times thereafter, the City of Indianapolis, Marion County, and their agencies, departments and personnel ("City"), agree to provide all governmental services and support reasonably necessary to the success of Super Bowl XLV and related Official Events within its jurisdiction (whether, recognizing the uniqueness and extraordinary scope of the Super Bowl, such services and support are below, equal to or beyond the normal level and range of governmental services usually provided for events held within the jurisdiction), all at no cost, expense or liability to the NFL or the two participating NFL Clubs (the "Teams") and that neither the NFL, the Teams, nor any director, shareholder, officer, agent, employee or other representative of the NFL or the Teams shall be held accountable for or incur any financial responsibility or liability of any kind or nature whatsoever in connection with the governmental services and support planned and/or provided by the City relating to Super Bowl XLV and related Official Events, but in appropriate circumstances, Indianapolis 2011, Inc. or an

organization designated by Indianapolis 2011, Inc. may be asked to pay those filing and/or permitting fees normally paid to the City by the general public.

SECTION 3. The City of Indianapolis will actively protect against unauthorized promotional activities during the two weeks prior to and through the week following Super Bowl XLV which detract from, or interfere with, the promotional activities of the NFL in connection with the Super Bowl game.

SECTION 4. This resolution shall be in full force and effect upon adoption and compliance with IC 36-3-4-14.

ANNOUNCEMENTS AND ADJOURNMENT

The President said that the docketed agenda for this meeting of the Council having been completed, the Chair would entertain motions for adjournment.

Councillor Boyd stated that he had been asked to offer the following motion for adjournment by:

- (1) Councillor Cain in memory of Cathy Voltz; and
- (2) Councillor Oliver in memory of Priscilla Hawkins; and
- (3) Councillors Nytes, Brown, Sanders, Boyd, Conley, Oliver, Gray, Bateman and Pfisterer in memory of Ted Boyd; and
- (4) Councillor Moriarty Adams in memory of Helen Stites; and
- (5) Councillor Sanders in memory of Gilbert Fischbach and Allen McFadden; and
- (6) Councillor Gray in memory of Willa L. Durrett.

Councillor Boyd moved the adjournment of this meeting of the Indianapolis City-County Council in recognition of and respect for the life and contributions of Cathy Voltz, Priscilla Hawkins, Ted Boyd, Helen Stites, Gilbert Fischbach, Allen McFadden, and Willa L. Durrett. He respectfully asked the support of fellow Councillors. He further requested that the motion be made a part of the permanent records of this body and that a letter bearing the Council seal and the signature of the President be sent to the families advising of this action.

There being no further business, and upon motion duly made and seconded, the meeting adjourned at 9:31 p.m.

We hereby certify that the above and foregoing is a full, true and complete record of the proceedings of the regular concurrent meetings of the City-Council of Indianapolis-Marion County, Indiana, and Indianapolis Police, Fire and Solid Waste Collection Special Service District Councils on the 26th day of March, 2007.

In Witness Whereof, we have hereunto subscribed our signatures and caused the Seal of the City of Indianapolis to be affixed.

President

ATTEST:

Clerk of the Council

(SEAL)